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THE CODEX VERONA LX(58)

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I. GENERAL DESCRIPTION [1]

THE subject of this study is, perhaps, the most commonly known of the manuscript sources of early church history. Beginners in the subject, who are apt to take for granted the text of their sources, nevertheless presently learn that they owe the beginning of the story of the Meletian schism in Egypt and much of the later history of Athanasius to their discovery, early in the eighteenth century, by the Marchése Maffei, in a volume belonging to the Chapter library of Verona.[2] But the

[1] The following descriptions of our codex have been given:

S. F. Maffei, Opusculi ecclesiastici, pp. 75–77. (This work forms the second part of a double folio volume with Istoria Teologica, published at Trento in 1742. Portions of the text previously printed in Osservazioni letterarie, III, 1738, occupy pp. 254–272 of the same work.)

Pietro and Girolamo Ballerini, Opera S. Leonis Magni, tom. III, 1757, De Antiquis Collectionibus Canonum, Pt. II, c. 9, reprinted in Migne P. L. 56. 143–148. This is an admirable short description of the codex and its contents. Other passages, with text (or notes) belonging to our codex are P. L. 56. 77–78, 433–453, 714–724, 823–862, 876–879.

A. Reifferscheid, Bibliotheca Patrum Latinorum Italica, in the portion published in Sitzungsberichte der phil.-hist. Classe der kais. Akademie der Wissenschaften zu Wien, XLIX (4 Jan. 1865) 35–40.

F. C. B. Maassen, Geschichte der Quellen und der Literatur des canonischen Rechts, 1870, pp. 546–551.

A. Spagnolo, Atti della R. Accademia delle Scienzie di Torino, 1896, xxxii. 509–524 (though less known, quite an important description).

C. H. Turner, The Guardian, 11 December, 1895, pp. 1921–1922, and Ecclesiae Occidentalis Monumenta Juris Antiquissima, I, 625–626. (Hereafter cited as E. O. M. J. A.)

E. Schwartz, Nachrichten v.d. kgl. Gesellschaft d. Wissenschaften zu Göttingen, phil.-hist. Kl., 1904, 357–391, and Zeitschrift für die neutestamentliche Wissenschaft, 1936, xxxv, 1–17. (Hereafter cited as Z. N. T. W.)

[2] The only good source for the history of the Chapter library at Verona is a series of articles by Canon Count Giambatista Carlo Giuliari, Chapter librarian, in Archivio Veneto, largely reprinted in book form as La Capitolare biblioteca di Verona, Parti

fact is that this codex as a whole possesses great interest and presents the student with many fascinating problems. These have been attacked, and in part solved, by a succession of scholars, beginning with Maffei himself and two other Veronese savants, the Ballerini brothers, continuing later with Maassen and Batiffol, and in our own times with Professors C. H. Turner and E. Schwartz.[3] The work of these and others, on this subject, is scattered through many books and periodicals, and the time is ripe for a résumé in English of the whole story. It is even possible to carry the work forward in one or two respects. And the present writer is emboldened to attempt the double task because, by the courtesy of the Chapter of Verona and of the authorities of the Vatican library where this among other Verona codices has been temporarily housed since 1924, he had the privilege of spending a few hours of the Spring of 1939 with the codex in his hands.

The codex is a modest quarto volume bound in parchment and boards, and bears on its back the class-mark [4] LX(58). It contains 126 leaves of vellum, 27 mm. by 20 mm., that is to say, roughly of the same size and shape as ordinary typewriting paper. At first glance the volume appears to be a unity. One bold and shapely script, a kind of uncial developing towards

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I e II, Verona, 1888. The articles are: Archivio Veneto X, 239; XI, 51; XII, 56, 274; XIV, 39; XVI, 219; XVII, 232; XVIII, 5; XIX, 72; XX, 5, 203; XXI, 203; XXII, 271; XXIII, 5; XXVII, 453; XXVIII, 223, 426; XXX, 477; XXXIII, 203, 511; XXXV, 191.

The Vatican press has commenced a sumptuous Monumenta Palaeographica Veronensia under the initial editorship of Mgr. E. Carusi and W. M. Lindsay. Two fascicules have so far appeared, in 1929 and 1934 respectively, concerned with codices native to Verona down to the ninth century.

The following studies may also be noted:

Teresa Venturini, Ricerche paleografiche intorno all' arcidiacono Pacifico di Verona, Verona, 1929.

G. Forchielli, Collegialità di chierici nel Veronese dall' VIII secolo all' età comunale, in Archivio Veneto, Series 5, vol. III, 1928, pp. 1–117.

Vittorio Lazzarini, Scuola calligrafica Veronese nel secolo IX, in Memorie di R. Istituto Veneto, xxvii, 1924. In the next volume of the same periodical, Giovanni Ongaro carries the same theme into the tenth century. This work was carried on by two theses; Maria Venturini, Scriptorium Veronese nel secolo XI, 1930, and Maria Luisa Giuliano, Cultura e scuola calligrafica Veronese nel secolo XII, 1931.

[3] For the respective contributions of these scholars, see Additional notes A–F below.

[4] For the classmark, see Additional note J below.

cursive that bespeaks a date but little before or after 700 A.D., runs from beginning to end.[5] On closer inspection it appears that, for the first 35 leaves, the number of lines to the page, and the manner of numbering the pages in quaternion, differ from those obtaining in the last 90 leaves.[6] Originally, therefore, these groups of leaves formed two independent volumes. They were, however, written by the same scribe, who betrays himself all through the codex in certain characteristic aberrations. The first of the two volumes contained the *acta* of that Council of Carthage which, in 419 A.D., gathered up the canon-legislation of the African church as part of its rejoinder to the claim of Popes Zosimus and Boniface to intervene in cases of ecclesiastical discipline initiated in Africa.[7] Let us call this volume A. It opens with a list of *Capitula* from which the beginning has disappeared. The missing matter would just have filled one leaf. A was thus originally a book of 36 leaves, or four quaternions with two double leaves added, a volume, that is, 'made to measure' for the purpose of copying this collection only. The last page, however, was never completed. The collection contains, in addition to the Acta of 419, the synodal letters later sent to Popes Boniface and Coelestine in the name of the African church. The text of the second letter in A comes to an abrupt halt on the top of the last page, at the words *vel*

[5] One line of facsimile of the script of our codex, drawn by hand, is given by Maffei as No. iv on the first plate opposite p. 62 in his Opusculi ecclesiatici. A photographic facsimile of the verso of f. 78 is given in Monumenta graphica medii aevi, T. Sickel, Vienna, 1855, as tabula III, fasc. 1. The same photograph is reproduced as No. 43 in K. Zangemeister and W. Wattenbach, Exempla codicum Latinorum litteris majusculis scriptorum, Heidelberg, 1876. A facsimile in color is given in connection with the article cited below, by Prof. E. Schwartz, of both sides of f. 80, in Abhandlungen d. kgl. Gesellschaft d. Wissenschaften zu Göttingen, N. F., viii, No. 6.

Reifferscheid calls the hand eighth century, and in this he is supported by L. Traube, Nomina Sacra, p. 216, who concludes on the ground of its position in one development of abbreviation, 'Vor den 8 Jahrhunderte kann er nicht gut geschreiben haben,' though he says at once that it cannot be later than eighth century. On the other side is Maassen, who says (op. cit., p. 551) 'das 7. Jahrhundert nicht überschreitet.' He is followed in this judgment by Wattenbach, De Ferrari, Giuliari, Turner, Spagnolo and Feder.

[6] The first part of the codex has an average of 28–30 lines to the page, the second only 26–28.

[7] See J. D. Mansi, Concilia, IV, 401–415; 419–434. A good summary by an Anglican writer is 'The case of Apiarius,' B. J. Kidd, A History of the Church to A.D. 461, Vol. III, c. 9.

multis aliis intercurrentibus impedimentis adduci non potuerunt. The remainder of the letter would just have filled the page, but was not copied. The words *EXPLICIUNT CANONES* in the hand of the original scribe follow immediately under the broken ending. This suggests that the last page of his exemplar was missing, and that he left the page blank, in the first instance, in the hope of making good the deficiency. Did he hope to find the missing page? If so, the addition of the *expliciunt* testifies that he was disappointed.

Of what was originally the other volume we now have 90 leaves. Before certain mutilations it was a book of 12 full quaternions. This volume was therefore of the nature of a book of standard size, and not, like A, planned to receive certain predetermined matter. As it ends with a colophon in the name of a certain Deacon Theodosius, the whole codex early gained the title of 'the collection of the Deacon Theodosius.' It will be argued later that this is not a true description of even the second constituent volume. It has, however, held the field for so long that it cannot be ignored, and we may accordingly choose the letter T to represent the last 90 leaves of our codex. In T we have the volume, as it left the hands of the scribe, only in a somewhat mutilated condition. It will be convenient, therefore, to use T* to represent this volume as it started on its way at the end of the seventh century.[8]

We must now ask the question, How did A and T come to be bound up together? An answer is forthcoming, thanks to the activities of a corrector and annotator whose hand is to be found all through A and T alike. It is a hand generally assigned to the twelfth century, though it is possibly as old as the eleventh.[9] The man and his work may be designated by the symbol t. He was well-informed and critical, and unhampered in

[8] For the removal of seven leaves to the Casanatense library, see Additional note H. Between f. 121 and f. 122 a thin strip of margin is all that remains of a leaf that must have been spoiled and removed. The quaternions of T* were: 37–44; 45–52; 53–60; 61–68; 69–71 and 1–5 of the Casanatense leaves; 6, 7 Casanatense and 72–77; 78–85; 86–93; 94–96 and 99–103; 104–111; 112–119; 120, 121, the excised leaf, 122–126. The second Casanatense leaf, which is the second middle leaf of the quaternion, bears the quaternion marking D.

[9] Maassen agrees with Reifferscheid to call t a twelfth century hand. Cipolla, who inclined, on other than palaeographical grounds, to put it earlier, admits that it is a

his annotations by any undue respect for the authority of the original scribe. He has told us something about himself and much about our codex by the use to which he has put the blank space which the first scribe had left on the last page of A. Here t wrote three pieces. The first is the well-known Roman metrical prologue to the canons of Nicaea, which begins *Concilium sacrum venerandi culmina juris.*[10] The second has all the appearance of a personal statement. It is headed *De magnitudine Niceni Concilii*, and continues:

> Nobis quidam è consortio fratrum nostrorum Orientales testati sunt se vidisse concilium Nicenum habens potiorem quattuor Evangeliorum magnitudinem, continens in se sessiones episcoporum et introductiones, judiciaque quaerimoniarum atque definiciones et constitutiones necnon et subscriptiones eorum.

We learn, however, to treat t with some reserve, when we recognize that this 'personal statement' is simply a sentence plucked from its context in the preface of pseudo-Isidore prefixed to many copies of the Isidorian canon-corpus.[11] The 'personal' appearance is obtained by omitting the connecting *autem* which there follows the opening *nobis.*

Lastly, under the title *Versus de synodis per ordinem dispositis*, t has copied these lines:

> Primus apostolica canon documenta ministrat
> Nicenaque secundus habet saluberrima dicta
> Tertius Ancyrana tenet moderamina vitae
> Cultricemque sanat cordis Neocesara quartus
> Pontifices Cagren quinto coluere boatu
> Antiocham celebrat sextus sermonibus urbem
> Septima felices sensit Laudocia patres
> Te quoque Constantipolis octavus honorat
> Scribitur et nono jus Calcedona coruscum
> Eximia decimus (dat) consiliamina Sardis *dat* above line
> Extulit undecimus clara Cartagine scripta
> Ultimus angelico te personat Africa sistro.[12]

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script developing in a way characteristic of the end of the eleventh century. This may be the closest approximation to the true date.

[10] The text of this metrical prologue is given in Migne P. L. 56. 758. Also Reifferscheid, op. cit., pp. 35–36 from our codex, Maassen, op. cit., p. 46, Turner, op. cit., I, 105 and 254. Reifferscheid, on p. 36, gives also the text of the two following pieces from our codex.

[11] The text of pseudo-Isidore is given by J. Hardouin, Collectio conciliorum regia maxima, Paris, 1714, I, 6.

[12] Reifferscheid, loc. cit., gives the t text, but not the secondary hand.

The order of the councils, here, is not chronological. That was evident to a second annotator, who entered *temporibus Constantini* in the margin against line 2, *temporibus Theodosii senioris* against line 8, *temporibus Marciani* against line 9, and *temporibus Honorii* and *temporibus Theodosii junioris* against lines 11 and 12 respectively. It seems to be his hand also that wrote *At primus apostolico canon fulgore revibrat* above the first line, as a suggested improvement. He was ingenious, for he identifies line 11 with the council of 419 A.D. and concludes that line 12 must refer to some last council of the African church under Theodosius II. The guess was wrong, however. The verses were composed as a metrical prologue for copies of the *versio secunda* of Dionysius Exiguus.[13] The first canon-collection of Dionysius gave merely a version of the Greek canon-corpus. But he became acquainted later with the African canons as reasserted at Carthage in 419, and assumed the Acta of this council to form the recognized corpus of African canons. This opinion prevailed in the West through the influence of his *versio secunda*, in which the Acta of 419 were added to the Greek corpus, Chalcedon and Sardica. His text included the synodal letters to Boniface and Coelestine, the latter of which must date 424 or 425, and may have given our annotator the idea for his *temporibus Theodosii junioris*. It must be asserted, however, that before Dionysius, the Acta of 419 had not this status of recognized African canon-corpus, and the point affects the evaluation of the contents of our codex at a later stage.

Our verses are to be seen fulfilling their office of metrical prologue to the Dionysian series in codex Sessoriana LXIII of the library of S. Croce in Gerusalemme at Rome.[14] The reference of lines 11 and 12 is there made clear; the former is to the 33 canons passed by the first session in 419, and the latter to the reiteration of 105 canons of previous African synods. Now the ten councils represented by the first ten lines of the prologue are all in T, while the matter covered by lines 11 and

[13] This is the version of which the *editio princeps* by Christopher Justel, under the title Codex canonum ecclesiasticorum Dionysii Exigui, was published at Paris in 1628.

[14] See Reifferscheid, Sitz. Akad. Wien, 26 July, 1865. (L, p. 754.)

12 is in A. Thus t, who was well acquainted with the younger Dionysian version, recognized that in A and T together he had a variant of the same series of councils as are given by Dionysius. All his three entries on the back page of A have reference to matter in T, and so we have before us the motive for joining the two volumes together. Schwartz is too agnostic when he describes our codex as *lediglich durch den Buchbinder vereinigt.*[15] We have accounted for ff. 1–35 as A, and ff. 37–126 as T, and need now to give an account of f. 36 which lies between them. This leaf is altogether singular. In the first place it is of the size and shape of foolscap, so that it will only go inside the covers of the bound codex by dint of folding back the projecting bottom end. It has writing, in one hand only that appears nowhere else in our codex, filling up the whole of the verso. The recto is blank, but there is a reason for this in the fact that the vellum is so poor and thin that the recto is a mass of inkstains from the writing on the other side, with the result that it has afforded no temptation to later scribes. The content of the verso is in tenth-century script [16] and is printed, with a most valuable commentary, by the Ballerini, in the third volume of their edition of the works of Leo the Great (P. L. 56. 78). It consists of verses dedicatory of a book containing a collection of councils. In spite of the fact that it has enjoyed such long publication, it has not attracted notice, and no one seems to have considered whether it might have any significance for the codex as a whole. The caprice of bookbinders has again been taken as sufficient explanation of its presence in the place where it now is. It can hardly have been put there by the hands that joined A and T. It spoils the unity of the volume so formed. And if it were a casual insertion at a later date, it is difficult to see why so disparate a volume was chosen, and still more why the point of meeting of the two original volumes was chosen. There is a point further on in T where two leaves were inserted by t, and this would have been the more natural point at which

[15] Footnote to the first page of his article, Über die Sammlung des cod. Veronensis LX, in Z. N. T. W., xxxv, 1936.

[16] So Reifferscheid, Maassen and Spagnolo. It is sufficiently characteristic to leave no doubt.

to make a further insertion. In short, the suggestion that f. 36 got into the codex casually at some rebinding will not bear examination.

A possibility that does not lie open to these objections is that f. 36 may have been already bound either to the back of A or to the front of T before A and T were united. And, since the script faces backwards, the second alternative must be taken. Thus we must suppose f. 36 to have been originally affixed, like a folded frontispiece, to T. Whoever bound it in this position must have had some strong reason for thinking that the verses referred to the contents, or part of the contents, of T. Yet it is difficult to suppose that the writer of the copy and the person who bound it to T were one and the same. Anyone writing a copy for that purpose would at least have cut his sheet to the size of the leaves of the codex before writing the copy. The verses on f. 36 would all go into the space of a leaf of T, but their disposition on the sheet has respect to the shape of the sheet, and not at all to their position when bound into the codex. It is clear, therefore, that the writer, when he wrote the copy, had no thought of the codex in his mind. It must have been another person who, for reasons of his own, bound the copy onto the front of T. The sheet contains a copy, and not an original draft, since the verses are, beyond question, a composition of the late fifth century. The fact that the sheet is too thin to take writing on both sides precludes the possibility that it is a leaf detached from another book. The copy must therefore have been written for the sole purpose of communicating this set of verses.

Such a situation might arise if T* had migrated from its place of origin to a new home, which nevertheless continued to be in touch with the old, so that it could be known in the new that the verses belonged to the matter contained in T, and a copy of them could be sought from the place of its origin. To judge whether the history of f. 36 can follow these lines, we need to have the answer to the questions, Was T* written in Verona or elsewhere? and, if the answer to this question is, Elsewhere, then, Had T reached Verona by the tenth century?

The history of the output of the cathedral *scriptorium* at

Verona is very well known, thanks to its rich representation among the codices still in the Chapter library. The oldest of these are books written under Ursicinus, Lector of the cathedral in the sixth century, by whom one of them was dated.[17] The importance of this *scriptorium* did not attain its zenith, however, until the ninth century, when Bishop Ratoldus reorganized the cathedral Chapter as a *schola* devoted to sacred learning and placed the *scriptorium* in the charge of his archdeacon Pacificus. Between Ursicinus and Pacificus a number of scripts can be identified as native to Verona, and these have been very fully illustrated. Comparison of the original hand of our codex with these makes it certain that A and T were not written at Verona.

The Chapter library contains many codices older than Pacifican times which were of foreign origin. This is not surprising, since the regime introduced by Ratoldus must have led to the acquisition of books, as well as to their manufacture. Not unnaturally, also, the work of the *scriptorium* was influenced by the imported books. This fact is strikingly illustrated by a succession of articles that appeared in the Zentralblatt für Bibliothekswesen in 1909 and 1910. In 1909 W. M. Lindsay contributed an article on abbreviations peculiar to the early minuscules of Bobbio, which he attributed to the predominance of Irishmen in that cloister.[18] In the following year, Don Antonio Spagnolo, *custode* of the Verona Chapter library, showed that most of Lindsay's 'insular abbreviations' were exemplified in Pacifican books at Verona.[19] Lindsay at once replied with a demonstration that most of Spagnolo's list were also exemplified in pre-Pacifican codices at Verona.[20] The inference seems to be that the scribes of Pacificus learned 'insular' abbreviations from the imported books in their own cathedral library. And as Verona was in the cultural and ecclesiastical sphere of influence of Bobbio throughout the ninth and tenth centuries, it is safe to assume that many of these im-

[17] Codex XXXVIII (36). The date is 519 A.D.

[18] xxvi, 293–306. (July, 1909.)

[19] xxvii, 531–548. (December, 1910.)

[20] xxvii, 549–552.

ported volumes came from Bobbio. Now none of them exemplifies so many of Spagnolo's Pacifican abbreviations as our codex, which provides, in fact, the sole exemplification of no less than ten. Of these, some are to be found in T and not in A. There can be no doubt, therefore, that T was already at Verona in Pacifican days, and that may be at least a generation before f. 36 was written. When A came is less clear. Further, it is more than probable, on the ground of insular abbreviations, that A and T* were written at Bobbio. It is therefore a reasonable working hypothesis that, in the tenth century, someone at Verona knew the exemplar from which some item in T* had been copied, or another copy still at Bobbio, as the work to which these verses belonged, and that this led to the supplying of our f. 36 from Bobbio to supplement T. To this subject we must return in a later chapter.

II. The Contents

Very little needs to be said about the contents of A. The well-known African collection which came into existence as an immediate result of the 'affair of Apiarius' is there given according to the common text of which the *editio princeps* was made by Christopher Justel at Paris in 1614. Maassen classifies it as 'pure Dionysio-Hadriana,' the norm being the copy given by Pope Adrian I to Charlemagne in 774 A.D.[21] The text of A departs very little from this standard, the chief difference being in the grouping and numbering of the canons. Whereas A divides the matter reënacted at the second session into 108 canons, Pope Adrian's copy marks the standard division into 105. Of the A text of the letters to Boniface and Coelestine, a critical edition is provided by Turner in his Ecclesiae Occidentalis Monumenta Juris Antiquissima, I. 596–622. With that we may leave A and devote the rest of our study to T.

The first full description of the contents of T was given by the Ballerini, though much had been already described by Maffei. It makes part (Part II, c, 9) of their diatribe on ancient collectors and collections of canons (P. L. 56. 143–148).

By some mischance they omitted from their list two sets of

[21] Op. cit., pp. 444–452.

African canons which are included in T. But their numeration of the remaining pieces has become so established for purposes of reference that it is best to retain it, introducing a subnumeration for the omissions. The two African pieces follow next after Chalcedon, which the Ballerini call item VIII. We shall therefore number them VIIIa and VIIIb. On the other hand, the Ballerini count as item XVIII what is mostly palimpsest overwritten by t. It can be ignored, so far as T* is concerned.

To denote the original hand of A and T*, Turner and Schwartz have adopted the symbol Θ, which is likely to be accepted generally. But there is no such consistency in representing secondary hands. Turner uses Θ^2 to denote 'a secondary hand,' commonly without further specification. But in his edition of the Nicene canons according to the text of T, he adopts the symbol θ for the secondary hand that wrote four extra suppositious canons into the margin. It appears probable that θ, as well as nearly everything that comes under the heading Θ^2, is the work of t. The symbol t will certainly suffice for our purposes. With these conventions established, we can proceed to give a list of the contents of T, which consist of thirty items.

I. ff. 37a–42b. The creed and canons of Nicaea, with a narrative introduction. The creed and canons follow a type of version known as 'the version of Caecilian.' The Ballerini edition is in Migne, P. L. 56. 823–830. There is a critical edition in Turner, op. cit., I. 104–142. The Θ text gives only the twenty genuine canons of Nicaea. The four spurious canons added by t are printed by Turner, op. cit., I. 146–147. The text of canon vi lacks the 'suburbicarian clause' in the reference to Rome,[22] and *metropolitanis* in the reference to Antioch.[23]

II. ff. 42b–43b. The canons of Neocaesarea, in a form of the Isidorian vulgate, preceded by the short preface, *Et isti quidem canones secundi sunt . . .*,[24] but not by *Capitula* or names of bishops. (These names,

[22] *Ut in suburbicaria loca sollicitudinem gerat* (*urbis Romae episcopus*). This limitation of the jurisdiction of the Roman see appears to derive from the paraphrase of Rufinus, H. E., x, 6.

[23] In the phrase *propria jura serventur metropolitanis ecclesiis*. The inclusion of the word *metropolitanis* classes Antioch among metropolitan churches. Its absence leaves the authority of the see indefinite, alongside that of Alexandria and Rome. The introduction of the adjective in the Latin, without warranty in the Greek original, reflects post-Nicene conflicts.

[24] With an addition to the common text which further emphasizes the quasi-Nicene authority accorded to these canons. See Turner, op. cit., II, 116.

however, are found in item VII below.) The text of the Isidorian vulgate,[25] in the Ballerini edition, is printed in Migne, P. L. 56. 443–446, with some notes of Θ readings. A critical edition is given by Turner, op. cit., II. 116–140.

III. ff. 43b–47a. A letter addressed by a Roman synod under Damasus in 372 A.D. to the catholic bishops of the Orient, followed by three dogmatic passages culled from letters written on the Roman side of the controversy with the Orientals, followed again by a notice of adhesion by Meletius and his synod at Antioch in 379 to these doctrines. The original of which this is a copy is stated to be in the Roman archives. The text of this document was first printed by Lucas Holstenius, in Collectio Romana Bipartita, I. 165 seqq. It would seem that he used a very bad copy made from our codex. A critical edition, with a most valuable introduction, is given by Prof. Eduard Schwartz in Z. N. T. W., xxxv, 1936, 19–23 (text), (14–19, introd.).

IV. ff. 47a–50b. The canons of Gangra, in a form of the Isidorian vulgate, preceded by the preface, *Hii ipsi canones . . .*, but not by *Capitula*. The preface is followed by the address to the Armenians and the names of the bishops sending the synodal letter, which follows together with the twenty canons. Θ gives a singular text for canon vi.[26] After the canons is an epilogue. The Ballerini edition of the Isidorian vulgate is reprinted in Migne, P. L. 56. 447–453. A critical edition is given by Turner, op. cit., II. 170–214.

V. ff. 50b–54b. The canons of Laodicea in the Isidorian version. The Ballerini edition is in P. L. 56. 714–722. A critical edition is in Turner, op. cit., II. 340–392.

VI. ff. 54b–55b. The canons of Constantinople in the Isidorian version, without *Capitula* or list of bishops. The Ballerini edition is in P. L. 56. 722–724. A critical edition is in Turner, op. cit., II. 406–420, with a note on p. 432 on the singular reading *constitutae regiae* in canon iv.

VII. ff. 55b–59a. The canons of Ancyra in a form of the Isidorian vulgate, without *Capitula*, list of bishops, or the short preface. The Ancyra heading is followed by the list of bishops for Neocaesarea. The canons are arranged to number twenty, instead of the usual twenty-five. The content of the usual canons iv, v and vi is missing, while these numbers are assigned to the next three canons. The Ballerini edition is in P. L. 56. 435–442. A critical edition is in Turner, op. cit., II. 54–114, with the name-list of the bishops at Neocaesarea on p. 52.

VIII. ff. 59a–64b. Part of the Chalcedonian *Definitio fidei*, with the final allocution of Marcian at the close of the Sixth Session, and the canons. A critical edition is given by E. Schwartz in Acta conciliorum oecumenicorum, II. ii. 2. 105–109. This Latin piece is an *unicum*. The Ballerini edition is in P. L. 56. 856–862, but does not include the abbreviated *Definitio*.

VIIIa. ff. 64b–68b. The epitome of the canons of Hippo, held in 393 A.D., which was drawn up for the bishops of Byzacene who attended the council of Carthage in 397, known as the Breviarium Hipponense. Θ gives

[25] For the meaning of this title, see Additional note G below.

[26] Turner, op. cit., II, 190.

no *Capitula*, and an introduction is substituted for the synodal letter of 397. There are other singularities, some of which are indicated in the Ballerini edition of the Breviarium, reprinted in Migne, P. L. 56. 419–433.[27]

VIIIb. ff. 68b–70a. Ten canons passed by a council of Carthage [28] in 421 A.D. Substantially they are all reënactments, and only known through this text. At the end is an abbreviated name-list, followed by the words *De ordinandis episcopis* and an ornamental sign. The text printed by the Ballerini with notes is in P. L. 56. 876–879.

IX. ff. 70a–71b. A unique Latin version of the synodal letter of the council of Nicaea to the churches of Egypt. It lacks the last section, which deals with Easter observance. The Ballerini edition is in P. L. 56. 830–832. A critical edition is given by Professor H. G. Opitz in the Berlin Athanasius Werke, III. i. 2. pp. 47–50 (as Urkunde 23), and by Turner, op. cit., I. 629, 630.

X. f. 71b. A brief narrative section, beginning *Tunc temporis* . . . , and following on without a break from the end of IX. It is followed by EXPLICIT. DEO GRATIAS. AMEN. The text is printed by the Ballerini in their description of our codex; see P. L. 56. 146. It is printed also by Reifferscheid, op. cit., p. 38, by Maassen, op. cit., p. 548, and by Turner, op. cit., I. 637.

XI. f. 71b, and seven leaves bound up as codex A. III. 24 in the library of the church of Santa Maria sopra Minerva at Rome, known as the Biblioteca Casanatense.

The Apostolic canons in the second version of Dionysius Exiguus. f. 71b contains only the first eight *Capitula*. For the problem of the excised leaves, see Additional note H, below. An edition of these canons is given by Turner, op. cit., I. 2–32, with indications of Θ readings.

XII. ff. 72a–78b. The canons of Antioch in the same version, with *Capitula* but without the name-list. An edition of these canons is given by Turner, op. cit., II, 221–315, with indications of Θ readings.

XIII. ff. 78b–79b. The creed and anathemas of the Orientals at Sardica in a Latin version. The text is so altered as to accord with Nicene orthodoxy; e.g. where the text in Hilary, De Synodis, anathematizes those who say, *Neque consilio neque voluntate Pater genuit Filium*, this text anathematizes those who say, *Aut voluntate vel arbitrio Pater genuit Filium*. Such a reversed form appears otherwise only in Syriac in cod. Syr. Parisinus 62.[29] The Ballerini edition is in P. L. 56. 854–856, and Turner's edition is op cit., I. 638–640.

XIV. ff. 79b–80b. Another part of the same encyclical, otherwise unknown,

[27] See Maassen, op. cit., pp. 155–160 for the special character of the Breviarium in our codex. For the place of the Breviarium in African canon law, see L. Duchesne, Histoire de l'église ancienne, III, 123.

[28] See Maassen, op. cit., p. 182. From the opening words of Aurelius, this synod appears to have had the character of an annual synod.

[29] There is an edition of the Sardican pieces by F. Schulthess in Abhandlungen d. kgl. Gesellschaft d. Wissenschaften zu Göttingen, ph.-hist. Kl. N. F., x, No. 2, 1908, pp. 167–174, and a description by A. Zotenberg in his catalogue of the Syriac codices of the British Museum, p. 185.

proposing a paschal cycle. It was first published by Professor E. Schwartz in Abhandlungen d. kgl. Gesellschaft d. Wiss. z. Göttingen, ph.-hist. Kl. N. F. viii, 1905, No. 6, 'Christliche und Jüdische Ostertafeln,' pp. 122–123, with facsimiles of two T pages at the end of the volume. It is edited, with a restoration of the cycle, in Turner, op. cit., I. 641–643.

XV. ff. 80b–81a. The letter of Hosius and Protogenes to Pope Julius retranslated from a Greek version,[30] under a heading *Definitiones aput Sardicam*. The Ballerini edition is in P. L. 56. 839–840. An edition is given by Turner, op. cit., I. 644.

XVI. ff. 81a–88a. The synodical letter of Western Sardica retranslated from a Greek version,[31] containing the definition of faith omitted by Athanasius and Hilary and known otherwise only in the version of Theodoret, H. E. II. 8. The Ballerini edition is in P. L. 56. 840–848. A critical edition with notes is given by Turner, op. cit., I. 645–653. See also A. Feder, C. S. E. L. lxv. 103–124 for an edition side by side with Theodoret and Hilary.

XVII. ff. 88a–94b. The canons of Western Sardica, retranslated from a Greek version. In T*, the canons were followed by the names of over a hundred signatories extending over ff. 94b, 95, 96 and 99a. These names were completely erased by t, who used the space for item XVIII. (See Turner, J. T. S., xxiv. 74, note.) The Ballerini edition is in P. L. 56. 832–839. An edition side by side with the other principal texts is given by Turner, op. cit., I, 491–531.[32]

XVIII. ff. 94b–98b. The canons of Western Sardica in the version of Dionysius Exiguus in the hand of t, written on the palimpsest leaves, and on two new leaves, ff. 97, 98, sewn into the codex for this purpose.[33]

XVIIIa. ff. 98b, 99a. Entries by t to fill the blank space left after the com-

[30] Of this letter, of which item XV alone purports to give the text, there is a neat *précis* in Sozomen, H. E., iii, 12. When read in connection with this, the Θ text is seen to be too confused to be even a bad copy of the Latin original. When the writers are made to say that they hold *illam scripturam quae continet catholicam fidem factam aput Nicaeam*, the actual βιβλίον of the synod seems to be understood. This looks like a misunderstanding of a reference in the Greek to the γραφή (draft) whose συντομία gave opening to misinterpretation. The heading Definitiones = ὅροι, suggests that what follows is likewise a rendering of the Greek.

[31] The comparison of item XVI with the Latin original in codex 483 of the Arsenal library at Paris, made by A. Feder in C. S. E. L., lxv, 103 seqq. leaves no doubt which was originally conceived in Latin. The notes to Turner's edition of item XVI, op. cit., I, 645–653, while aimed at emendations of the Θ text, establish clearly the fact that it is derived from the Greek. See the notes on p. 645, l. 3; p. 646, l. 67; p. 649, l. 237; p. 650, ll. 279, 280; p. 652, l. 38; p. 653, l. 112. Of these, the third and the last may well be accounted decisive.

[32] That the Sardican canons were original in Latin was first proved by Turner in J. T. S., iii, 376, note 2. That the Θ text is made from a Greek version, and is not the original, is amply proved by Turner's edition and notes, op. cit., I, 490–531, corroborated by the argument of Schwartz, Z. N. T. W., xxx, 11–18. For a hint that the version was made in Africa, see Turner's notes on *primas*, op. cit., I, 489, 501.

[33] See Additional note I below.

pletion of XVIII. They have no significance for the history of the main contents of our codex, and are described in Additional note I below.

XIX. ff. 99b–102a. The unique text, in a Latin version, of an epistle of Athanasius written from Sardica to the church of Alexandria. XIX, XX and XXI were first printed by Maffei in Osservazioni Letterarie, III. 29–47 (Verona, 1738), and reprinted with his Istoria Teologica, Trento, 1742. The Ballerini edition is in P. L. 56. 852–854. Turner's edition is in op. cit., I. 654–656.

XX. ff. 102a–103a. The unique text, in a Latin version, of an epistle from a number of bishops at Western Sardica to the church of the Mareotis, with a list of signatories. The Ballerini edition is in P. L. 56. 848–850. Turner's edition is in op. cit., I, 657–658.

XXI. ff. 103a–105a. The unique text, in a Latin version, of a letter written by Athanasius after the synod of Sardica, addressed to the churches of the Mareotis, and carrying the greetings of a number of western bishops, some at Sardica and others communicated by letter. The Ballerini edition is in P. L. 56. 850–852. Turner's edition is in op. cit., I. 659–662.

XXII. ff. 105a–112a. The so-called Historia Acephala, a fragment of historical narrative relating to the history of the see of Alexandria, beginning, *Scripsit autem et imperator . . .*, with events in 345 A.D. and ending with a summary of the immediate successors of Athanasius. It was first printed by Maffei in Osservazioni Letterarie, III, 60–83 and reprinted with his Istoria Teologica. The same text is reprinted in Migne, P. L. 26. 1443–1450. A more accurate transcript was contributed by P. Batiffol to Mélanges Cabrières, I, pp. 100–108, in 1899. An edition with notes by Heinz Fromen was offered as a Münster dissertation in 1914. An edition by Professor H. G. Opitz is printed in Turner, op. cit., I, 663–671. An English translation, with a valuable introduction and notes, is given by Bishop Archibald Robertson in Nicene and Post-Nicene Fathers, vol. iv (St. Athanasius), pp. 495–499.[34]

XXIII. f. 112b. Under the heading, *Symbolus sanctae synodi Sardici* (*sic*) is a form of baptismal renunciation followed by a Latin confession of faith substantially the same in content as the 'Creed of Constantinople.' The text was first printed by Dr. A. E. Burn, who acknowledges help from Turner, in J. T. S., ii, p. 106, in 1901. It is more precisely edited in Turner, op. cit., II. 468.

XXIV. ff. 112b–113b. A unique Latin version of the epistle of Constantine from Nicaea to the church of Alexandria. There is a critical edition by Professor H. G. Opitz in the Berlin Athanasius Werke, III. i. 2. pp. 52–54, as Urkunde 25. There is also an edition in Turner, op. cit., I. 631.

XXV. f. 113b. A unique Latin version of the 'Porphyrian decree' of Constantine against Arianism. There is a critical edition by Professor H. G. Opitz in the Berlin Athanasius Werke, III. i. 2, pp. 67–68, as Urkunde

[34] C. R. Sievers, who died on 10 December, 1866, wrote an introduction and notes to the Historia Acephala based on the text of Maffei, and these were published posthumously in Zeitschrift für die historische Theologie, 1868, under the title 'Athanasii vita acephala, ein Beitrag zur Geschichte des Athanasius.' (Introduction, pp. 89–148; text and footnotes, pp. 148–162.)

33.[35] There is also an edition in Turner, op. cit., I. 632–633, side by side with the supposed original Latin of Constantine.

XXVI. ff. 113b–116a. "Maffei's fragment," the sole source for the origin of the Meletian schism in Egypt. It was first printed by Maffei in Osservazioni Letterarie, III. 11–18, and reprinted with the 1742 Trento edition of Istoria Teologica. Maffei's text was reprinted by M. J. Routh in Reliquiae Sacrae, iv. 91–94. A critical edition, preceded by a valuable introduction and followed by an historical discussion, is given by F. H. Kettler in Z. N. T. W., xxxv, 159–163 (1936). There is also an edition in Turner, op. cit., I. 634–636.

XXVII. ff. 116a–126b. (Between ff. 121 and 122 the presence of a margin shows that an original leaf of the codex must have been spoiled and removed.) The *Definitio dogmatum* of Gennadius of Marseilles. On f. 126b is a colophon in large capital letters, asserting the foregoing text to be the careful work of a deacon Theodosius. An edition of the *Definitio* is given by Professor Turner in J. T. S., vii. 89–99 (1906). This gives some account of the text of Θ, which lacks the last two sections of Turner's preferred text. The work is in Migne, P. L. 42. 1213–1222.

A study of this table of contents suggests the following three conclusions:

(1) At least an approximation to the text of Θ is available in print for the whole contents of our codex. For more than a quarter there is an accurate transcript. For the remainder, Θ variants are recorded with varying degrees of thoroughness.

[35] On p. 68, line 1, *sicubiliter* is certainly the reading of the text, but it is no doubt a copyist's error for *sicubi liber*. In line 5, *perferens* should be *proferens*. Opitz has ignored the symbol ℣ which follows *subibit* at the end of the letter. Turner, op. cit., I, 633, prints P* and suggests that the exemplar read PF for *praefecto*. There is, however, nothing in the Greek to warrant this, and the whole piece is the closest word-for-word translation. Further, the same symbol appears at the very end of XXII, where Batiffol and Turner both print a capital P. Batiffol adds the note *J'ignore la signification de ce sigle*. Schwartz, in his second Göttingen paper Zur Geschichte des Athanasius, p. 391, suggests *Papa* in apposition to *episcopus*, in this passage. Reifferscheid ignores the symbol at the end of XXII and represents it at the end of XXV by the ordinary abbreviation for *per*. It is, however, larger and more boldly crossed than usual, and the appearance of the whole symbol suggests that the letter T and perhaps F may be involved. In both contexts, it immediately precedes EXPLICIT. Now Jerome says, of the use of Amen in Hebrew MSS (ep. 138, ad Marcellam), that it is 'ut solemus nos, completis opusculis, . . . interponere EXPLICIT, aut FELICITER aut aliquid istiusmodi.' This suggests that it was customary in the fourth-fifth centuries to qualify *explicit*. We may suggest, therefore, that ℣ stood for *perfectum*, and that in both these contexts it has come down, in copying, from the fifth century Carthaginian book in which these Latin pieces are original. This would accord with Turner's belief that T contains abbreviations that have come down, in copying, from the African original nucleus (J. T. S., xxx, 115). Only by taking ℣ with *explicit* can both passages be explained.

Of the writing in secondary hands, almost all that possesses any interest has been published.

(2) The extreme importance of the contents of T* for the church history of the fourth and fifth centuries is evident, since items III, VIIIb, XIV, XIX, XX, XXI, XXII and XXVI are all primary sources. In addition, items X, XIII, XV, XVI and XXIII make important contributions to our knowledge. Item XVII is of unique importance as a witness to the text of the Sardican canons. Items VIII, XXIV and XXV are unique versions.

(3) In addition to the interest that attaches to the various items as documents, there is the interest of the problem of their collection in this codex. As far as that problem can be solved, the solution must bring further historical light. And it is to the means of solving that problem that we now pass.

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III. The First Clue, the 'Affair of Apiarius'

The first clue to the problem of our codex was found by Professor C. H. Turner, who published his discovery in the 'Guardian' of 11 December, 1895. The table of contents has shown that, miscellaneous as are the items in T, they all bear on events in the fourth and fifth centuries, and were all composed before the middle of the sixth.[36] This suggests that the collection before us may have had its nucleus as far back as the fifth century. Turner noted in particular that the staple of the contents of T was concerned with the councils of Nicaea and Sardica, and especially with their relation to the church of Alexandria. He then put the question, Why should such matter have been assembled and put into Latin? When the question was dressed in this form, it pointed to the answer. He wrote, "So far as my own knowledge is concerned, there is one, and only one, niche in history into which it will fit." The niche in question is that of the council of Carthage in 419 A.D., over the 'affair of Apiarius.' At that council, the Roman legates sent by Zosimus based the claim of the pope to interfere in the action against the African priest Apiarius on canons which they said had been passed by the Fathers of Nicaea. This was not pure effrontery. Their pretended Nicene canons were substantially the same as two of the canons passed by the strongly Nicene Western synod of Sardica in 342 A.D. The African bishops were unacquainted with them as Sardican canons, but returned a very definite challenge to their authenticity as canons of Nicaea. In the upshot, they sent envoys to the Eastern patriarchates to crave authenticated copies of the Nicene documents. This led Turner to his crucial question, What did these envoys bring back with them? It will be best to give the answer which he propounded in his own words. "Of the matter sent by Cyril," he writes, "none of our authorities give any details, and it has universally been supposed to have perished. The present paper is written to ventilate the hypothesis that in the core of the Theodosian MS. we possess the answer of

[36] For the dating of the Isidorian texts, see Additional note G, below. Dionysius Exiguus is known to have been dead by 550 A.D.

St. Cyril. Some confirmation of this theory may be found in Cyril's own words, for he speaks of *fidelissima exemplaria ex authenticâ synodo* . . . and he appeals to the testimony of history, *quod et in ecclesiasticâ historiâ requirentes invenietis*, words which acquire additional point if we suppose that the specimens of the historical material into which he invited them to inquire actually accompanied the letter." One of the oddest things about the contents of T is the presence of scraps of historical narrative, particularly items X, XXII and XXVI, relating to the church of Alexandria, mixed up with conciliar documents including those of Nicaea and Sardica. Turner was led rather by intuition than by sight in taking up this clue. But it was warmly welcomed by Professor E. Schwartz in the second of his famous articles in the Nachrichten v. d. Gesellschaft d. Wissenschaften zu Göttingen entitled "Zur Geschichte des Athanasius," published on 3 December, 1904.[37] In the course of the subsequent years both scholars have made huge contributions to the history of councils and collections of canons. Schwartz has reviewed them in a remarkable article contributed in 1936 to the canon-law section of the Zeitschrift der Savigny-Stiftung. In the course of this advance in the knowledge of the history of canon-collections it has become more and more evident how deep were the effects of the events of 419 in this field.[38] They quickened the pride of the African church in its own canon-legislation and its interest in the Eastern corpus of canons. They resulted in the rediscovery of Sardica as a separate entity. In short, they ushered in, for the West, the era of canon law based on collections of conciliar canons. Seen in the light of this development, the gathering of a rudimentary collection round about matter from the East received at Carthage in 419 becomes increasingly credible.

A piece of historical insight, quite on a par with that which led Turner to discover his clue, enabled Schwartz to provide corroboration from an unexpected quarter. Of all the odd and puz-

[37] See Additional note F, below.

[38] In this connection, attention may be called to a vigorous summary concluding the article 'Dionysius Exiguus' by E. S. Ffoulkes in the Dictionary of Christian Biography.

zling documents in T, there is nothing quite so enigmatic as item III. It will be seen from the table of contents that it professes to be an Antiochene copy of a manifesto sent by Meletius and his companions at Antioch in 379 A.D. to Rome. In 1936 Schwartz published his edition of it, in Z. N. T. W., xxxv, with 18 pages of introduction, in which he showed that the Antiochene council had taken five dogmatic passages written from the Roman side against the Orientals, and, in spite of the hostile character of the documents from which they had been taken, subscribed its adhesion to the doctrine therein contained. Meletius and his party could not have chosen a more remarkable act of forbearance and submissiveness for the sake of overcoming Western suspicion and securing a resumption of communion with the Roman see. But how came such a document into this Western codex? It can only have emanated from Antioch. It can only have been communicated for the purpose of enforcing the moral of submission to the Roman see. And accordingly Schwartz explains it as having been handed by Alexander, Bishop of Antioch, to the African envoys who came to him in 419. It is unlikely that he refused them what they sought. But if he gave them this document, it was no doubt accompanied with strong verbal advice that the Africans should, in dealing with Rome, follow the example of forbearance and submissiveness which Meletius had given. The African letter to Boniface shows how little such advice was to the African taste. It is therefore not surprising that while the Africans give Boniface the text of the letters received from Atticus and Cyril, there is no word of any reply from the patriarch of Antioch.

So, between Turner and Schwartz, two very puzzling features of T, one deriving from Alexandria and one from Antioch, are connected by means of the events of 419 and through the *scrinium* of the Carthaginian Church. We begin, therefore, our tentative solution of the problem of T with the hypothesis that III and XXII first came together in the archives of the Bishop of Carthage. The next step must be to look for other items in T of which it appears likely that they also had a place in the same repository.

IV. A Second Clue, Donatus and the Council of Sardica

One of the first things to catch the eye with regard to the contents of T is the large and miscellaneous collection of pieces purporting to emanate from or belong to the council of Sardica. It will be found to form more than a third of the whole. There is first the brief narrative in X which dates and characterizes the council. Then come XIII, XIV, in their original text the work of the Oriental counter-synod. XV, XVI, XVII which follow are the main documents of Western Sardica. Then, in XIX, XX, XXI, we have three subsidiary documents from the latter synod, concerned with the cause of Athanasius in Egypt. XXIII is attributed to Sardica by the heading, and though the attribution is undoubtedly false, the presence of such a piece serves to heighten the impression that we have before us the results of a search for whatever might be known about Sardica. Again there appears to be but one niche in history which will accommodate such avid curiosity about Sardica, combined with such lack of discrimination, as is testified by the conglomeration of these strangely assorted pieces. Once more it is at the beginning of the fifth century and in Africa. Augustine tells us that, about 406 A.D., he learned that the Donatists, as part of their propaganda, were putting about the claim that Eastern bishops in synod at Sardica had sent letters of communion to Donatus the Great, thus showing their agreement with him in repudiation of *traditores*. The catholics were completely non-plussed by this claim, which may seem surprising, for Carthage had been represented at Sardica in the person of Bishop Gratus. But even if, as Schwartz supposes, he brought back with him a copy of the Sardican canons,[39] it must have been forgotten. For at the outset Augustine did not know how to value the Donatist claim. He began by throwing doubt on the identity of the Donatus in question with their Donatus. Then he questioned the authenticity of the

[39] Z. d. Savigny-stiftung, 65, k. Abt., xxv, p. 80. Schwartz' suggestion that the Africans knew the canons of Sardica, but kept silence about them, seems completely unacceptable.

letter because it bore no date. Finally he was fain to borrow from the Donatists their *volumen*, in which was no doubt contained the same encyclical of the Eastern synod as is preserved among the historical fragments of Hilary of Poictiers.[40] As he read there of the condemnation of Athanasius, Augustine recognized that the synod in which the Donatists were glorying was an 'Arian' synod.[41] And so, although it appears that the *volumen* opened with a letter of the Eastern bishops, personal to Donatus, declaring their repudiation of *traditores*, the proof of their 'heresy' emptied it of consequence. It remains, however, that Augustine was confined to arguments which he could construct from the text which the Donatists provided. His ignorance of the 'orthodox' Sardica, thus manifest in 406, was evidently shared by the whole gathering of African bishops in 419. Had it been otherwise, they would have had an immediate and crushing reply for the papal legates. Their vaunted canons, the Africans might have said, were not only not Nicene but the work of a synod whose president fell into heresy. That they made no such reply argues that the Acta of Western Sardica were not in their hands. Yet they must have known of Sardica as a 'holy synod.' For in 348 or 349 A.D., after the work of the *operarii unitatis* had restored the effective control of the African church to Gratus, he held a council at Carthage which proceeded to enact canons. The fifth of these follows the same lines as are traced by the thirteenth and fifteenth of Sardica.[42] And Gratus approved the African canon in the words *Nam et memini sanctissimi concilii Sardicensis similiter statutum.* Plainly he regarded the canon-legislation of the African church as autonomous, though united in principle with that of the rest of the Catholic Church. But equally he did not regard the canons of Sardica as in any way incorporate in the canon-legislation of Africa, or as directly known to the assembled bishops. Immediately after this council, the death of Constans brought bad times for the Catholic cause in Africa, and when

[40] Migne, P. L. 10. 671–676.

[41] Augustine tells the story himself. Migne, P. L. 33. 176. And cf. P. L. 43, 516 and 576.

[42] The canon forbids one bishop to receive the subject of another, whether clerical or lay. See J. D. Mansi, Concilia, III, 143–158.

revival came the memory of Sardica played no part in it. For this reason the Donatist assertion had the Catholics at a disadvantage. And this is certain to have created a strong desire, on the Catholic side, to know the truth about Sardica from reputable sources. This question was, of course, intimately connected with the main issue that occupied the bishops in council in 419, though they did not know it. It is as a separate question that we may suppose the envoys to the East to have asked, What can you tell us of the synod of Sardica? But if they asked it, it cannot have gained them the text of the canons of Western Sardica, since the battle of Africa with Rome was carried to victory without any mention of the Sardican character of the pretended Nicene canons in the *Commonitorium* of the papal legates. The envoys, nevertheless, must certainly have brought back some information about Sardica, if only in Cyril's 'ecclesiastical history.' The first mention of Sardica in T is in item X, which seems clearly to be a fragment from the 'history.' It may be paraphrased thus: "About that time the emperors began to be pestered to hold another synod. A plot was on foot against Paul of Constantinople, and it was on the motion of Eusebius, Acacius, Theodore, Valens, Stephen and their associates. This synod was held in 342 A.D. at Sardica." [43] This passage must have seemed to confirm the impression produced by the Donatist *volumen*, namely that at Sardica the Eastern bishops had the initiative and used it in the Arian interest. It may be astonishing that such a view of Sardica should be found in a church history deriving from Alexandria. But it must be remembered how little cause Athanasius had for looking back upon Sardica with

[43] Fantastic as this passage appears, it probably clings very close to fact. Paul was politically troublesome, owing to his association with the 'new citizen' interest in Constantinople. It is likely that his activities were, by the winter of 341–342, becoming a major preoccupation of the Oriental church leaders. At this time, Eusebius of Constantinople was still alive and Stephen had already become bishop of Antioch. After the death of Eusebius, Paul threw himself on popular support in the capital, ignored the summons to Sardica, and finally came to grief in the Hermogenes riot, early in the winter following the synod.

In justification of the above rendering of *insidiarentur Paulo*, it may be noted that our Latin versionist virtually uses *insidiari* of the action taken by Alexander against Arius. (*Seditione facta . . . Alexandro.*)

any satisfaction. It was a sorry failure, as far as concerns its hoped-for result, the restoration of the Nicene faith in the East through the support and advocacy of the united West. The doctrinal definition to which it gave currency had come, by 362, to be bitterly regretted by Athanasius.[44] Sardica, again, involved him in a grievous concession on the subject of the date of Easter,[45] a matter which touched the prestige of the Alexandrine church very nearly. And it bound up his cause with the cause of Marcellus of Ancyra, from which he had come to see that he must sever it,[46] and, partly as a consequence, brought about such a deterioration in the attitude of the East to his own cause as to delay his return to Alexandria long after both emperors were determined upon it. Athanasius was careful to disclaim all responsibility in connection with the calling of Sardica.[47] And so the sentiment of this fragment is true to the feeling of Athanasius himself.

The next piece of Cyril's 'history' incorporated in T appears to consist of the three letters, XIX, XX, XXI and the Historia acephala, XXII. To the Africans, these letters would prove that whatever others did at Sardica, Athanasius, with a great body of his friends in the West, remained true to the orthodox cause. He was still uncompromised when Constantius gave order for his return to Alexandria.[48] Thus an African reader did not at all receive the impression that Sardica vindicated Athanasius. He thought, rather, that Athanasius triumphed in the teeth of Sardica and against the continued opposition of wicked men. It is probable, therefore, that XIX, XX, XXI adhered to XXII, as establishing the circumstances under which Athanasius was recalled, and we may take the four pieces together to form the continuous conclusion to Cyril's

[44] Migne, P. G. 26. 800 cd. By the time the 'history' was written, circumstances had changed this. See Schwartz, Z. N. T. W., xxxv, 6, 7.

[45] See Schwartz, Christliche Ostertafeln, pp. 26–29.

[46] See Hilary, fragment II, 23. Migne, P. L. 10. 651–652.

[47] See the studied protest in Apol. ad Constantium, para 4. (Migne, P. G. 25. 601. And compare P. G. 25. 308.)

[48] It is in the manner of a *dossier* to imply Constantius' recognition of the Athanasian cause by superposing his letter announcing the return of Athanasius immediately upon those of Athanasius and his friends. The text of the letter of Constantius has, however, been dropped out in copying.

'history.' We have here the measure of Alexandrine disregard for Sardica. The credit for the triumphant return of Athanasius went, in Alexandrine opinion, chiefly to the constancy of Athanasius himself. Here is the reason why the Carthaginian, seeking to extract from Cyril's 'history' what it told of Sardica, found it difficult to know at what point to stop, so that eventually he went on to the end. For the chief fact about Sardica obtained from the Donatist *volumen* was that Athanasius had been condemned by the allies of the Donatists, while the finish of Cyril's 'history' proved that he never suffered orthodox condemnation at all. So we need not see, in the presence of this considerable piece of narrative, any divergence from the purpose of finding the true answer to the question of Sardica, as it arose in controversy with the Donatists.

Turning back to the synodal documents of Eastern Sardica, XIII, XIV, we see that they form but one document, and that the introduction to the creed proclaims it to be the work of the same bishops as those whom Augustine had found, to his horror, qualified by the naming of their sees, in the Donatist *volumen*. It should, therefore, have surprised the Carthaginian reader to find the creed quite orthodox.[49]

If we consider XIII, XIV as an answer to the question, What was Sardica?, it appears to be such as might have been obtained from Antioch about 419 A.D., but hardly at any time from any other place. That it might have been obtained from Antioch at that time may be seen from the following considerations. We may begin with the Savigny-Stiftung article by Schwartz already mentioned, pages 33–41, preceded in 1930 by a paper in the Sitzungsberichte of the Berlin Academy, pages 637 seqq. Here Schwartz shows how, by the later fourth century, Antioch was already a leading centre of canon-collection. He attributes a leading role in this work to Euzoius, the Arian occupant of the episcopal throne from 361 to 378 A.D., thus accounting for the fact that an honorable place in the Greek *corpus canonum* is given to three synods whose members were not of such Nicene orthodoxy as would have satisfied a later age. These are Gangra, Antioch and Laodicea. The

[49] Migne, P. L. 43. 576.

canons of Antioch are the work of a synod connected with the deposition of Eustathius, about 328 A.D. It is not surprising that they came to be attributed to the more famous council *in encaeniis* of 341, but the attribution is false. Gangra and Laodicea took place either under Constantius' rule or that of Valens.[50] Yet when Meletius recovered power, after the fall of Valens, these three sets of canons were so valued and respected that he did not dream of removing them from the Antiochene corpus of canons. On the contrary, he may be the person who set the canons of Nicaea at the head of the collection and so saved the whole corpus from Neo-Nicene condemnation. With such a policy agrees completely the strange transformation which the creed of Eastern Sardica, as it appears in our item XIII, has undergone. Like the *corpus canonum* of Euzoius, it has been 'disinfected.' The puzzle is that it should have been thought worth while to 'disinfect' this particular representation of the so-called '4th of Antioch.' The reason must probably be sought, not in any value set upon the creed so 'disinfected,' but in the other half of the document, the paschal rule and table. Now the table only indicates the date of Easter down to 387 A.D. Even so, it had proved very faulty, and its insufficiency must have become evident as soon as Antioch began again to be in contact, even if only in indirect contact, with Alexandria. In short, the days in which this table can have been enough valued to bring about the 'disinfection' of the accompanying creed must be those immediately after Meletius' return to power in 378 A.D. Thus XIII, XIV will have been a document in the same group, in the church archives of Antioch, as III.

Now cod. Syr. Parisinus 62 contains a Syriac version of the same 'disinfected' creed and anathemas, followed by the opening of the paschal rule, thus: "About the question of Easter, we have written to you giving the Easter dates for 30 years, because our Lord spent 30 years in human flesh upon

[50] With regard to the synods of Gangra and Laodicea, no argument for a particular date has yet succeeded in covering all the evidence. All that can be said with assurance is that they belong to the mid-fourth century. (But see Schwartz, l. c., p. 31 and Turner, op. cit., II. 146.)

the earth and Easter falls on the 25th of March every 30 years." [51] And there the Syriac version of item XIV ends. It is followed immediately by a Syriac version of the canons of Western Sardica. Schwartz (Z. N. T. W., xxxv, 2–4) argues that these Syriac collections often translate Greek collections belonging to the latest age of the arrangement of canons by simple series of synods, before the change-over to the arrangement of canons under 'titles,' instead of by synod. He then assumes that XIII, XIV, XVII were translated together from a late Greek collection which formed the original of this part of Parisinus 62. Therefore, he concludes, this section of T cannot, for reasons of date, have come through the *scrinium* of Carthage.

A first difficulty in this argument is the fact that our items XV, XVI are unrepresented in the Syriac and XVII is a different recension. A second, much more acute, is the presence in XIV of the full paschal table, missing from the Syriac. It is not surprising that it is missing from the Syriac. It is not such a thing as canon-collectors would have gone on copying. The remarkable thing is its presence in XIV. It means that the original of XIV must go back to a time when the paschal table still figured as a document for careful preservation. In fact, if XIII, XIV were a version made in Carthage, it is hard to think why the translator should have thought it worth while to transcribe the obsolete table. It is more comprehensible if Alexander of Antioch had the version made from the original in his archives, and handed the whole document over to the African envoy in Latin.[52] In any case the argument of Schwartz must surely be wrong, and XIII, XIV must be accounted part of an Antiochene answer, in 419, to the African enquiries about Sardica. There are reasons for associating item XXIII also with Antioch. In Z. N. T. W., xxv, 42–43, Schwartz called attention to the letter of the bishops assembled at Constantinople in 382 A.D., reproduced by Theodoret, H. E. v. 9. The writers

[51] See note 29 above.

[52] The diplomatic relations of Bishop Alexander of Antioch with Pope Innocent may explain both his leanings in the African dispute and his readiness to produce a Latin version of a document, when in correspondence with Western ecclesiastics.

refer to their faith as having been exactly set forth in the two 'tomes' of Constantinople and Antioch, in 381 and 379 respectively. "In these tomes," they say, "we have confessed our faith," and the verb ὡμολογήσαμεν suggests that their confession took the ordinary credal form. Schwartz suggests, therefore, that the Antiochene synod of 379 had adopted a symbol substantially identical with the Constantinopolitanum. Now the appearance of the creed included in item XXIII is exactly that of a near precursor of the Constantinopolitanum.[53] MS. Patmos 172, published by Beneschewitsch, contains a passage demanding that all τοὺς μὴ θεολογοῦντας τὴν ὁμοούσιον τρίαδα and refusing τὸν ἐν Ἀντιοχείᾳ ἐκτεθέντα τόμον be accounted Pneumatomachs.[54] We seem to have pointers enough to made us look to Antioch as the place of origin of this credal form. There is, of course, the heading to our item XXIII, which describes it as the creed of the synod of Sardica. But this is so manifestly a blunder that it argues no more against Antioch than against any other place of origin. Its absurdity is evident

[53] The close similarity of this creed with the old Latin versions of the 'creed of the CL Fathers' may be seen from A. E. Burn's study in J. T. S., ii, 102–110. The striking difference is in the Christological section. Here, the homoousion is missing. Christ is first predicated as true God from God and only then as sole-begotten Son of God. This has the effect of marking the sonship as a 'sonship of nature,' the sense in which the Syrians understood the homoousion. The only known parallel is in the creed of Apollinarius deduced by Caspari from his Kata Meros Pistis (Alte u. neue Quellen zur Geschichte des Taufsymbols, 1879, pp. 65–146. The text is given in A and L. Hahn, Bibliothek der Symbole, 1897, pp. 143–144). Here Christ is called true God from true God, God's only-begotten Son, consubstantial. From this Laodicean creed, as from XXIII, the Nicene trilogy 'God from God, light from light, very God from very God' is missing. It is also missing from the creed of Antioch as testified by Cassian and the Contestatio of Eusebius of Dorylaeum (Hahn, l.c.) and from the creed of Constantinople as it appears in the Latin versions of Sessio VI of Chalcedon (Burn, l.c.). That it afterwards crept into the text of the Constantinopolitanum is natural. We may conclude that it was not in the type of creed confessed by Meletius and the Syrians, c. 370 A.D., where the first predicate of Christ was true God from God, while the dogmatic intention was to declare Him to be the 'Son of nature' of the heavenly Father; i.e., homoousion where *ousia* is indistinguishable from *phusis*. These considerations confirm us in seeking the origin of the creed of item XXIII in Syria and before 379. And if this is right, the influence of Meletius, rather than that of Cyril of Jerusalem, is the real clue to the Constantinopolitanum.

[54] Cited by Schwartz in his Bussstüfen und Katechumenatsklassen, Schriften der Wissenschaftlichen Gesellschaft in Strassburg, 1911, No. 7, p. 31 from p. 235 of the work on the Collection of the XIV Titles, in Russian, by Beneschewitsch.

in the fact that the creed in XXIII is not in synodical form, but in that of a personal *Redditio* in part of a baptismal office beginning with the renunciation. Individual bishops were known to offer the form of faith which they used for baptismal initiation in proof of their own orthodoxy. The most notable example is that of Eusebius of Caesarea at the Nicene Council. And if we ask what bishop might have set forth in this sense the baptismal form contained in XXIII, there is no name more probable than that of Meletius. If Meletius was baptising with this confession when he returned to Antioch in 378, we need no more explanation why it was substantially adopted by his synod of Antioch in the following year, and two years later by the ecumenical gathering under his presidency at Constantinople. But if this be its origin, its most likely way to reach our codex was in company with XIII, XIV and III. Being in company with XIII, XIV offers as likely an explanation of its attribution to Sardica as we could well have. But if this is how it came, it must have lain with these other pieces in the archives of Antioch, from the first days of Meletius, and been sent to Carthage by Alexander. It is hardly conceivable that *he* made the blunder of mistaking this baptismal confession for a creed of the synod of Sardica, and he must therefore have had some other purpose, in sending it, than the giving of information about Sardica. He was interested to commend to the Africans an attitude towards the see of Rome exemplified by the behavior of Meletius after his return to power. Was it to Rome that Meletius offered this proof of the orthodoxy of his faith? Such an action would have been a true counterpart of the action of the Syrian bishops under his leadership to which our item III bears witness. And both would show that for Meletius, as for Alexander, Roman communion was not to be separated from orthodoxy in faith.[55] If, therefore, we assume that III, XXIII and XIII, XIV were the illustrative documents which the African envoy to Antioch in 419 brought back to Carthage with the personal message of Alexander, whether or not that message was recorded in writing, it is plain that the whole

[55] We should therefore suppose XXIII to be a Latin version prepared for Meletius to send to Rome, perhaps in company with III.

reply was little to the mind of the African bishops at the time. They make no mention of it in their letter to Boniface. And it may be presumed that the exemplifying documents received little attention. It is not surprising if, later, someone who did not know the bearing of III and XXIII on the 'affair of Apiarius assumed the latter to be part of the Sardican collection, and disposed of the former equally at a venture.

We turn now to XV, XVI, XVII. The two epistles and the collection of canons here presented all belong to the Acta of the Western synod of Sardica. The impression of the Sardican council which they convey is entirely different from either that conveyed by Cyril's 'history' or that conveyed by the Antiochene contribution, XIII, XIV, XXIII. There is no reason to associate them with either Alexandria or Antioch. They cannot have been in the hands of the Bishop of Carthage when the letter to Coelestine was drafted, about 424 A.D., since it was still, at that time, unrecognized that the pretended Nicene support for the papal interference was really Sardican. But it seems likely that it was the same curiosity regarding Sardica, born of the debate with the Donatists, that added these three new pieces to the indiscriminate collection which the events of 419 had brought to the Carthaginian *scrinium*. The Vandal invasion put a violent end to all such interests in 430, so that we have but the preceding quinquennium in which to place the arrival of XV, XVI, XVII at Carthage.

The epistles and canons alike were originally composed in Latin. Yet the Θ text is not this original, but retranslation from a Greek version, in each case. As touching the canons, Schwartz, Z. N. T. W., xxx, 19, pointed to two canons (xxiii, xxiv in T) which are found only in this and an allied Latin version and appear to be the fruit of negotiations with Aetius of Thessalonica, and drew the conclusion that the Greek version from which these are retranslated was itself made, soon after the council, in Thessalonica. He called attention, further (l. c. 27–32), to the naming of Julius in the text of our canon v, the effect of which is to limit the universal appellate which that canon gives to the Roman see to the lifetime of Pope Julius. The object, he argues, was to exclude Liberius from such a

dignity, and that bespeaks the time when the fall of Liberius left the Macedonian Nicenes to stand alone. We may add that the combination of the three pieces, the letter of the presidents to Julius, the encyclical, and the canons, befits the purpose of erecting Sardica into the bulwark of orthodoxy when the Roman see had failed. We may attribute this trilogy, therefore, to a bishop of Thessalonica just after the fall of Liberius. Now the 16th epistle of Ambrose of Milan [56] makes it clear that Acholius, who, in his later years, did everything in his power to attach the fortunes of his see to those of Rome, succeeded to the bishopric in early life. It is to his first days, therefore, that Schwartz attributes the tell-tale insertion of the name of Julius into canon v. And if this is right, we may attribute the formation of this trilogy to Acholius also. It is suited to the purpose of rallying the Catholics of Macedonia and Achaia during their dark years, before the coming of Theodosius the Great. Copies are likely to have been preserved in many churches of steadfast orthodoxy. In one of these an African, we may suppose, found the true answer to the Sardican question.

Now if the Greek trilogy of Acholius was brought home to Carthage, there to be turned to Latin in the form of our XV, XVI, XVII, it is clear that the discovery of *this* Sardica was considered a great matter in Carthage. There were two good polemical reasons why it should be so. But if the trilogy was a discovery, it would be unreasonable to suppose that, at that time and place, it would have appeared to give reason for rejecting XIII, XIV. The new pieces would merely be added to the old. Perhaps by this time the polemical interest was yielding place to the collector interest.

Thus it appears that the Sardican block in T*, which is continuous from XIII to XXIII inclusive, was assembled by someone in Carthage before the year 430. The order in which the pieces are arranged is apparently deliberate. XIII, XIV, protected from suspicion by the 'disinfection' of the creed, appears to be accepted as the conciliar encyclical and has the place of honor. The Western trilogy is introduced with the heading *Definitiones aput Sardicam*. If *definitiones* here translates ὅροι

[56] Migne, P. L. 16. 958.

in the Greek title of the trilogy of Acholius, it covers canons as well as definitions of faith. This seems very probable, and would explain the fact that the collector was under no temptation to rearrange the items XV, XVI and XVII when adding them to his collection. The block XIX–XXII we have seen to be a continuous excerpt from the text of Cyril's 'history.' The whole collection, as the Carthaginian collector saw it, fell into the order, (1) Encyclical, (2) ὅροι, (3) Transactions. Thus, amidst the confusion in T, this Sardican block stands out as a reasoned unity, and one which we can suppose to have had its beginning in Carthage before the Vandal invasion. The position of the baptismal form XXIII at the end of the block is, on the above hypothesis, due to its dubious character as a conciliar document. There is nothing to favor Dr. Burn's suggestion[57] that it is connected in origin in some way with the preceding 'history.' It stood to come last in the Sardican collection by falling outside the usual categories of synodical document. And we might append it to the foregoing scheme of the collection as (4) Miscellaneous. The compiler presumably thought that the council had prescribed a baptismal form, though not with the authority it would have had through a place in the encyclical or ὅροι.

An evidence for the currency of the trilogy in its original Greek may be seen in Sozomen, H. E. iii. 12, which draws upon XV, XVI. It would not be to that historian's purpose to cite the canons, which are in form and character foreign to the canon-legislation of the Orient.

V. The Carthaginian Compilation

It has appeared in the foregoing discussion that the continuous block of items XIII–XXIII dealing with Sardica must have been put together in Carthage, in part at least, from papers lodged in the church archives there. Item III, which is in a different part of T, has been identified as another of the papers in those archives. The question therefore arises whether T is built up from a Carthaginian compilation of which the Sardican collection is only part. Much of the matter in T can-

[57] J. T. S., ii, 103.

not, by its date, have been original in a work compiled before 430 A.D.; the Isidorian series of synods, II and IV–VII, the Acta of Chalcedon, VIII, the Dionysian matter, XI, XII, and the dogmatic treatise, XXVII. But that leaves for consideration I, IX, X, XXIV–XXVI, as possible passages from Cyril's 'history,' and VIIIa and b which are African. The first step is to try and settle the question of excerpts from the 'history.' And for this purpose we need to obtain a clear view of the character of the work as it can be gathered from the closing portion in item XXII.

The period covered by this narrative runs from the return of Athanasius in 346 to 368, the year of his forty-year jubilee in the episcopate, a year made the more joyous by the final expulsion of Lucius the Arian pretender to the chair of St. Mark. The jubilee may well have been the occasion for the publication of the work. But if this were so, the dates of the death of Athanasius and of the accession of his next three successors were subsequently added. From this fact, from Cyril's mention of the work under the general title *ecclesiastica historia*, and from his employment of it as a witness to Nicaea, it is clear that it was not just a history of the episcopate of Athanasius. It is not so clear how much further back than 328 A.D. the narrative went.[58]

For the period covered by item XXII the chronology of Alexandrine events is accurate in the extreme, and shows the use of a carefully compiled local chronicle, which, to judge by the summary computation contained in § 17, must have extended backwards at least as far as 328 A.D. For matters transpiring outside Egypt, on the other hand, the information is inferior and the chronology confused. The author cannot have been in close personal contact with Athanasius, or with his well-developed organization for foreign affairs. He would appear to have been an Alexandrine in some quite private station of life. On the other hand, his outlook on ecclesiastical politics reflects most faithfully that of Athanasius as it can be gathered from his own polemical writings. The faith of Athana-

[58] This is not to say that the intention of the writer was not wholly to celebrate Athanasius. He might have to refer to events prior to his episcopate for that purpose.

sius is treated as the only and unquestioned orthodoxy. The doctrine of adversaries requires only to be pilloried for derision. The aim of the writer, it would seem, was to please Alexandrine readers, not to persuade a wider public. Nevertheless, he copies very closely the model of Athanasius' own polemical histories, adorning his narrative with extracts from documents to support his points. And as in the case of the works of Athanasius, so here, we see a tendency on the part of better-known citations to drop out of the text. Thus the text of Constantius' letter announcing the recall of Athanasius, known to us in Apol. c. Ar. 54, has evidently dropped out of the first paragraph of XXII. And besides omissions that may thus have occurred in the transmission of the Greek text, there may be further omissions in our Latin text, due to the Carthaginian translator. At the end of paragraph 14 of XXII the translator has acknowledged an omission in the words HIC AVTEM MINVS NECESSARIA INTERMISSIMVS, and by good fortune the nature of the omitted passage is known to us from a Greek source.[59] We have to keep in mind the interests of both the author and the translator. The chief interest of the author was the contendings of the church of Alexandria, and its pastors and friends, against men of evil will. The chief interest of the translator is in canonical issues affecting his own world, though his continuance of his translation of the last passage of the history to the bitter end would suggest that in the course of his work he began to be interested in the history for its own sake.

With these facts about Cyril's 'history' in view, we can turn to consider items IX, X and their relation to it.

In T, at the top of f. 70r, item VIIIb draws to a close with the text of the 10th canon of the council which sat at Carthage in 421 A.D. This is followed by some names of signatories, and these in turn by the words *De ordinandis episcopis* and a decorative flourish. Then, without a break begins item IX, the opening of the letter of the synod of Nicaea to the churches of Egypt, of which the Greek text is known to us through some

[59] As an appendix to ep. lvi of Athanasius to Jovian, Migne, P. G. 26. 813–977. There is a translation in Archibald Robertson, Athanasius, N & P-N Fathers, iv, pp. 568–569.

texts of Athanasius, De decretis Nicaenae synodi, and in Socrates, Theodoret and Gelasius.[60] The text of the letter in IX is not complete. The concluding section which deals with the Easter question is left out. This is true to the *dossier* manner of citing documents, where just so much of the text is cited as supports the contention of the accompanying argument. The chief theme of the citation, in its most general and permanent aspect, is the supremacy of the bishop of Alexandria over all episcopal elections in Egypt. For this reason it was a fundamental document in the eyes of the author of the 'history,' while to the Carthaginian translator it appeared an important ruling of Nicaea, over and above the twenty canons, a ruling *De ordinandis episcopis*. This title, annexed to the text of VIIIb, clearly belongs to IX. Displaced in this way, it puzzled t, who saw that it must be the title of something. It was probably his hand that drew the little ornamental sign, to mark this fact, besides entering in the margin an African canon, *De ordinandis episcopis,* which he had sought out for the purpose. It is not in the manner of the author of the 'history' to have supplied a heading of this kind, but it is in his manner to introduce the cited document with such a phrase as, The synod wrote thus concerning the ordination of bishops. And this sentence would give rise to the title, in Θ, for this supplement to the Nicene canons.

At the point where the Nicene letter is broken off, the narrative section X follows without a break. The question is whether this corresponds with the text of the 'history.' Schwartz, with his somewhat over-cynical view of Athanasius, assumes that it does, and sees in the immediate sequence of Sardica upon Nicaea an intention of the Alexandrine historian to pass over in silence the fact that his hero had ever fallen into disgrace with Constantine.[61] But this is to assume that the passage on the ordaining of bishops from the Nicene letter was inserted in the course of the narrative of Nicaea. This does not at all

[60] See Opitz, l.c., p. 47.

[61] See Z. N. T. W., xxxv, 6. The continuous narration of church history from Nicaea would not be to the purpose of an Athanasian *dossier*, and is out of accord with the truncated character of IX.

follow. It might be cited appropriately in condemnation of any consecration carried out against the will of the bishop of Alexandria, that of Pistus, for example. The treatment of the supporters of Pistus by the Athanasian party may well have called for justification. Whether we do, or whether we do not, accept Schwartz' view of the honesty of this Athanasian writer, it still remains possible, and even probable, that IX, X constitutes one continuous passage of the 'history,' headed, in the Latin, *De ordinandis episcopis*, and closed with the inscription in capitals, EXPLICIT. DEO GRATIAS. AMEN. The second paragraph of XXII harks back to the next stage in the history of Paul of Constantinople to that referred to in X. It may therefore have been a short step in the course of the 'history' from X to XIX. If we are right in suggesting 339–340 A.D. as the period to which IX, X has reference, the story of the second exile and the intrusion of Gregory should have followed. This is lost to us, unless we have it in Sozomen, H. E. III. 6.[62] It is more probable than not that the 'history' contained nothing about the conduct of Sardica beyond the fact that Athanasius and the orthodox bishops wrote to Egypt, the text of the letters then being given. Thus we may suppose that IX, X and XIX–XXII formed two main extracts from the 'history,' made by the Carthaginian translator in the interests of what can be called, in a broad sense, canon-compilation.

Item I consists of a version of the creed and canons of Nicaea known as the version of Caecilian. Whatever the degree of justification for this title, the version was current in Africa well before 419 A.D. It was the form in which the African bishops knew and asserted the authentic Nicene canons. In what is either the primitive or a carefully revised text of this version, of which Θ is one of two examples,[63] canon vi, which deals with the rights of the great sees, contains no limitation of the rights of Rome to suburbicarian Italy. The clause to that effect which appears in other copies of the version of Caecilian was

[62] The last section, from ὁ δὲ Γρηγόριος, is true to the outlook and manner of the 'history.'

[63] The other being cod. Vat. 1319. See Turner, op. cit., I, 101–143 and J. T. S., vi, 85–86.

derived from the Ecclesiastical History of Rufinus, where it entered, no doubt, as an expression of the independent spirit of the church-province of Aquileia. Likewise Θ lacks the word *metropolitanis* in that part of the same canon that deals with the church of Antioch.[64] The text of the *Nicaeana* in item I can therefore be placed with assurance. It is not a translation of any text included in the 'history,' or sent with the history. It is substantially the version native to Carthage.

Our consideration of the character of the 'history' would not suggest the probability of the whole text of the *Nicaeana* being included in a citation. It would, on the other hand, be very characteristic if it cited canon vi in support of a contention regarding the rights of the see of Alexandria. And this would supply a sufficient basis for the remark of Cyril, that the Africans could judge of the authenticity of the text of the canons supplied from Alexandria if they would read the 'ecclesiastical history.' The 'history' would, in short, supply the Alexandrine interpretation of the Nicene authority, in regard to the question at issue.

Item I introduces the text of the version of Caecilian with a brief narrative statement which certainly does not belong to that version. It runs, *Synodus Nicena sub Alexandro episcopo Alexandrie imperatore Constantino. Multa igitur seditione facta beato Alexandro cum suis de mala mente Arrii, victoriosissimus imperator Constantinus scripsit illi et omnibus episcopis occurrere* . . . (Turner, op. cit., I. 104).

This sentence rings altogether true to the style of XXII, and

[64] In nearly all copies of the Acta of 419 the Nicene texts are omitted, but in three ancient codices the text of the version of Caecilian is written out in full. See Maassen, op. cit., pp. 8, 9. But here the 'suburbicarian clause' and *metropolitanis* are present. Schwartz, Z. d. Savigny-Stiftung, 56. 3. 44–48, argues, on this account, that the 'version of Caecilian' cannot have been of any great antiquity or sacrosanctity in 419, since such interpolations were tolerated or even deliberately made for polemical ends. The Θ text is nearer to the Greek, and Turner, op. cit., I, 103 expresses the belief that it is a revision of the other text, made by the Carthaginian envoys in the light of the Greek. But the concern of the Africans was not with readings, but with the presence or absence of certain canons. Schwartz, l.c., thinks that the version of Caecilian has the marks of Antioch as its source, and in this case, the absence of *metropolitanis* argues for Θ being more primitive. If the so-called 'version of Caecilian' actually reached Africa from Syria in the late fourth century, Θ is to be adjudged simply a better text than that which was copied into some of the exemplars of the Acta of 419 A.D.

the heading, with its assumption that Nicaea took place *sub Alexandro*, must surely derive from this very Alexandrine 'history.' The passage was probably followed very shortly in the 'history' by the citation of canon vi. The impulse upon which the Carthaginian compiler prefixed this passage to the *Nicaeana* in the version of Caecilian presumably originated in his recognition of the vindication of the African view of Nicaea, as against the Roman claims, afforded by the 'history.'

Item XXIV is introduced simply by the heading *Epistula Constantini de synodo Nicena.* XXV follows the *Explicit* of XXIV without any heading. XXVI, the pre-Nicene fragment, is headed *Initium epistule episcoporum* and ends with the words *Explicit inlustrorum virorum.* It is this last phrase that may give us the clue to the inclusion of these pieces. The two letters of Constantine are such as might well have had a place in the 'history,' while XXVI is true to it alike in style and purpose. The derivation of all three pieces from the 'history' is indeed probable. It is merely a question of seeing for what purpose they were extracted. The question is answered by this *Explicit.* These pieces were taken as 'letters of famous men,' four in all, and concerned with canon law principles. This is a category that would also include item III. Its present position between two Isidorian pieces suggests some upheaval in the order of the collection. And if we ask where would be its most natural position in the Carthaginian compilation, the answer must be, Between XXIII and XXIV. Thus the compilation would consist of (1) documents of Nicaea, namely I, IX, X, (2) documents of Sardica, XIII–XXIII, and (3) letters of famous men, III, XXIV–XXVI. The whole forms a collection of non-African canon documents somewhat parallel in construction to the African collection which forms our volume A. For this reason it seems best provisionally to exclude from it the African collections VIIIa and VIIIb. Their date would permit them to be considered for a place in our nuclear collection, but there is no clear reason for their inclusion there. And the best hypothesis is given by assuming for the original Carthaginian compilation the contents of our items I, IX, X, XIII XXIII, III, XXIV–XXVI, in that order.

VI. The Growth of the Collection

When the contents of T are considered side by side with the Carthaginian compilation just described, it appears that this work must have passed through the hands of successive redactors, each of whom was influenced by the standards of canon collections which prevailed in his own day. There can be distinguished, first, a redaction in the interest of what may be called the 'younger Isidorian' standard. Upon the Caecilian version of Nicaea already present in the original compilation, this redaction built up the known Isidorian version of Ancyra, Neocaesarea, Gangra, Laodicea and Constantinople. This we should expect to have resulted in a volume in the order I, VII, II, IV–VI, IX, X, XIII–XXIII, III, XXIV–XXVI. The redactor did not copy the Isidorian Nicaea, presumably, because the version of Caecilian was there already. His reason for not copying the Isidorian version of Antioch is matter for further consideration. But the fact that he did not do so explains the action of a later redactor who added XI, XII, the Dionysian version of the Apostolic and Antiochene canons. This redactor likewise abstained from duplicating pieces already in the collection, and so we can conclude that Chalcedon, in the unique version that forms our item VIII, was already there when this second redactor did his work. Since the Isidorian collection in T, like most Isidorian collections, ended with Constantinople, it was bound to attract such an addition in due course. Since the two African collections follow Chalcedon, there is some probability that VIII, VIIIa and VIIIb came in together. There is little about the last two that suggests anything as to the time and motive of their inclusion, so that we may provisionally assume that they came in under the cover of some more important supplement. There remains only item XXVII, a text of the work De ecclesiasticis dogmatibus of Gennadius of Marseilles. It has no obvious relation to the rest of the contents of T. And when we remember that T* was written in a made book of twelve quaternions of vellum, it becomes probable that it was selected simply on grounds of length for this position, and so belongs to the actual last copying. This sup-

position will have to be subject to later review, but at the present stage item XXVII can be left on one side in considering the growth of the volume of canon-collections which forms the greater part of T.

In the structure of the collection after the Isidorian redaction as given above, the point for the insertion of the VIII block is the obvious one. After that, the insertion of the Dionysian pieces, together, just before the Sardican block, if not quite so obvious, presents no difficulty. Thus it turns out that, in spite of the bewildering first impression produced by the order of items in T, it accords with a reasonable history of structural development, with the exception of two anomalies. These are the positions of Ancyra as VII and the Meletian manifesto as III. Some light is thrown upon the first of these by a closer inspection of the text of II and VII. At a very early stage in the history of Greek canon collections, the Acta of these two pre-Nicene synods came to be coupled together, so as to form a double collection in one document. This is reproduced in the Isidorian Latin version.

The text of the later form of this, the Isidorian vulgate, is very well represented in manuscripts. The double collection consists of, (1) the *Capitula* of 24 or 25 Ancyran followed by 14 or 15 Neocaesarean canons, the numeration varying according as one canon in each case is, or is not, split. (2) A short preface to the double collection of canons, indicating that though they are older than the Nicene canons the latter take precedence. This implies that the double collection was made to follow the canons of Nicaea, and in some versions the canons of the double collection number on in sequence from the Nicene canons as if Nicaea were held to have approved and appropriated the earlier Pontic canons. (3) The names of the bishops at Ancyra. (4) The names of the bishops at Neocaesarea. (5) The canons of Ancyra. (6) Another short preface, repeating for Neocaesarea what has already been said of the double collection. (7) The canons of Neocaesarea.

Of the above series, our item II consists of (6) and (7) only, while our item VII contains (4) and (5). It appears, therefore, that at some stage in the MS. tradition (1), (2) and (3) were omitted.

Further, the matter which in most collections forms canons iv, v, and vi of Ancyra is missing from the Θ text of (5). The fact has been concealed by renumbering the remaining canons, and as the usual xvi and xvii are treated as one canon, and likewise the usual xxii and xxiii, the Θ text gives twenty instead of twenty-five canons of Ancyra. In noting this peculiarity, Turner says, *Cum videas deficere etiam episcoporum Ancyritanorum nomina, adesse (quae sine intervallo sequuntur) Neocaesariensium nomina necnon canones Ancyritanos i ii iii, rursus deficere canones iiii v vi, iure forsitan conicias excidisse ex archetypo duo quaternionis eiusdem folia gemella.* (Op. cit., II. 48). Now the content of canons iv, v, vi is about 1570 letters, and that of canons i, ii, iii about 1530. There are twenty names in (4). Thus the piece missing from the proper content of our item VII, i.e. Canons iv–vi, is just about as big in paper space as the piece present before the gap, i.e. (4) and Canons i–iii. The matter missing before that, namely (1), (2) and (3), consists of 39 *Capitula*, a preface of 250 letters, and twelve names of bishops with their sees. This should take the paper space of between 1500 and 1600 letters in continuous prose.

Thus it is possible to accept Turner's suggestion that the state of the double collection in T is due to a falling out of leaves at some stage of the MS tradition, but they must have been alternate leaves. A page in T carries up to 1000 letters, while the pages that we thus suppose to have fallen out would carry less than 800. The falling out of alternate leaves is more likely with paper than vellum, and that would carry us back to the sixth century. Turner's suggestion would suit a vellum book, but it is impossible as an explanation of the text, since it would require that (4) and canons i, ii and iii took double the space of canons iv, v and vi. The most probable explanation, therefore, of the disorder affecting item VII is that it is due to the loss of two paper leaves. And the question is, Were they leaves of a paper predecessor of T, or of some other paper volume containing the Isidorian series of canons? In either case, it is to be presumed that the Ancyran canons in the exemplar were at the head of the series, except only for Nicaea, and were followed immediately by those of Neocaesarea. The copyist next after the loss of leaves must be supposed, in passing

from Nicaea, to have resumed copying at Neocaesarea, and so forward, leaving out the Ancyran matter because he recognized it to be defective. When the whole Isidorian series had been completed, he wrote out, we must suppose, what he had of Ancyra. But, we continue, he had been unable to make good the defect in any way other than by renumbering consecutively the canons which remained to the round number of twenty. Throughout the Isidorian series in T, canons are numbered separately for each collection, and this is no doubt original to the series, so that the loss of a leaf containing three canons must have been obvious. On the other hand, the list of names in (4) was copied, apparently, without recognition of the fact that they do not belong to Ancyra. Thus the Isidorian vulgate was not a familiar text to the scribe who rearranged item VII.

At this point the question of item VII connects itself with that of item III. It is on the face of it likely that III, which begins with a pronouncement by a pope in council, would have appeared to be a document of preëminent dignity to most of the men whose hands have been put to the shaping of our volume. One of these may have wished to move it to a position in the collection that seemed to him to correspond with its dignity. The moment of adding the Isidorian series to the Carthaginian compilation is that, perhaps, when such considerations would be most likely to become effective. And the appropriate point for the insertion of III would be next after Nicaea, or, when Ancyra and Neocaesarea are accounted as belonging to or subsumed under Nicaea, next after Neocaesarea. Thus the present position of III ceases to appear anomalous when it is recognized that it results from the activities of the second compiler, who, in the sixth century, combined the Carthaginian book with the Isidorian series of councils; making this particular rearrangement with regard to III because his resultant book formed, in his judgment, an ordered collection of conciliar decisions and canons. What has made the position of III in T appear so anomalous is chiefly the displacement of the council of Ancyra in the series. And this is due to an accident that occurred in the manuscript tradition of the collection after III

had been given its position in the series. This placing of item III relatively to the Isidorian councils is valuable for the purposes of our analysis, because it shows that the paper volume of the Isidorian councils from which the two Ancyran leaves were lost was not some chance copy of the Isidorian version used by the redactor of the Carthaginian book, but actually a copy of our Verona collection at that stage in its development. The loss took place, that is to say, within the tradition with whose history we are immediately concerned.

This second redactor, who brought about the transformation of the Carthaginian book into a collection of councils, belonged to what we may call the younger Isidorian age. The group of versions known as Isidorian stop short at Constantinople. There is nothing that can properly be called an Isidorian Chalcedon. Therefore, the addition of our item VIII, the council of Chalcedon in a version quite unconnected with the Isidorian series, must be attributed to a third redactor at a time somewhere between the second redaction in the sixth century and the fourth and final redaction, which brought in items XI, XII and XXVII and may be as late as the end of the seventh century. It is probable that the introduction of the two African sets of canons formed part of the same redaction as brought in Chalcedon.

The compilation as it was in T* is thus seen to have grown up in the fulfilment of rational literary purposes, the only irrational element in the collection as it now stood resulting from a specific accident. The outlines of order and purpose are, it is true, somewhat blurred, because the notions governing the activities of the successive redactors differed somewhat, according to the developing outlook of their respective ages. They are all at one, however, in their aim of putting on record the decisions of church councils in an ordered collection, for the use of ecclesiastics in their own and following days. This conclusion, reached by analyzing what Turner described [65] as a 'veritable hotch-potch,' suggests that such appearances can too easily be passed off as due to the stupidity or carelessness of medieval scribes. We have reason, on the contrary, for think-

[65] J. T. S., xxx, 115.

ing that the succession of men to whom we owe T*, if not our codex as it stands, were neither stupid nor careless, but were throughout actuated by intelligent and intelligible purposes.

VII. The Meaning of f. 36

The text of the verses on f. 36 can be read in Migne, P. L. 56. 78. The author's clarity has gained nothing from the necessity of expressing himself in verse, but we may venture the following version:

O Dalmatian, O Caesar, whom the whole earth honors with triumphal chariot, at whose rule the whole earth trembles,
Listen with sacred ears to this poor suitor, and with thy blessed eyes behold him bearing to thee a book of versions most vilely wrought.
It is offered with the prayer that thou mayest win perpetual praise and sacred potency, in holding firm the sacred laws of holy church.
In ploughing its furrows with the ploughshare of study, thou wilt be Constantine, greater in dominion than Augustus.
As to the time and the place chosen for the gathering of sacred synods, each had its proper ground.
Time, as it recedes with the passing days, bears witness in history that only by holy men have been achieved these synods, whereunto the Pope sped his legates, whose holy mandates the Roman bishop recognized, and, by recognizing, promulgated.
This book publishes the decisions of Nicaea which Constantine, present at the synod, supported to the uttermost, as also did Pope Julius likewise.
At that synod Arius fell, weighed in the scales by such a master, and from that synod holy faith grew strong by love.
The synod of Chalcedon follows that of Nicaea, and Marcian is seen establishing it and smiting Eutychian lips.
Nor is the work silent from proclamation of the findings of Ephesus, the glittering trophy of Theodosius, treading under foot the dogmas of Nestorius.
From this work, henceforth, Roman laws are spreading through the world and, in a word, holy things are advanced more and more with the double code of laws.
What things soever the holy synods proclaim in all their dogmas, in those it beseems you to maintain their usages.
Thou art no less august, thine is no shrunken majesty, nor is thy imperial highness less than thy predecessors.
Twelve are the talents, fully weighed, that lie in thy hands; may there be added yet another, to will and to succeed!
Thus may the people of God find joyous increase, and may holy faith flourish in thy time!
May all the ages, O Caesar, sing an unending song of praise to thee, because, by thy judicial holding of the scales, they shall have been the better for these good things!

The Ballerini had no difficulty in showing that Maffei had blundered in identifying the emperor to whom these verses were dedicated with Dalmatianus, nephew of Constantine. And dating the author by the fact that he recognized Chalcedon as the third ecumenical council, not the fourth, they succeeded in narrowing down the possible identifications till one only was left, namely the Dalmatian prince Julius Nepos whom the Byzantine Emperor Leo I, shortly before his death, raised to the purple as Emperor of the West. His proclamation in 474 A.D. kindled extravagant hopes in the breasts of western churchmen; Sidonius Apollinaris, for example, who suffered exile in the following year for supporting his cause against that of Euric. Nepos, however, failed his supporters from the very first, and we can consequently date these verses with all confidence as written within the year of his accession. At first sight the reader must be amazed at the seeming fulsomeness of the flattery bestowed upon the prince. But on second thoughts their realism becomes apparent. Nepos is offered success *if* he allies himself fully with the church, and as adopting a liaison policy between East and West. He is to recognize and promulgate the authority of the papacy and the ecumenical councils, and thus secure for his claims to secular authority a maximal support from the church. To help this policy the author of the verses, who must surely be a churchman of some political consequence, offers him a Latin version of the Greek ecumenical councils. And if he makes a display of personal modesty by qualifying the versions as *pessima facta*, the future which he sees in imagination for his book is grandiose enough.

As to the contents of his book, the Ballerini were acute enough to see that the first item was the combined version of the canons of Nicaea and Sardica, the version, that is, emanating from the Roman archives and underlying the controversy of 419 A.D. And this they deduced from the writer's supposition that Julius was the Pope of Nicaea. Clearly, the writer to Nepos could not claim any kind of authorship for this part of his book. But it was followed by a version of Chalcedon, and this we may suppose was his work. There is also mention of Ephesus, though not such as to make it clear what form the

Ephesian section of the book may have taken. But we may conclude that the version of Chalcedon and the Ephesian matter, whatever it was, were the writer's *pessima facta*.

If, then, it is right to associate the verses on f. 36 with anything in the contents of T, it is with item VIII. The greater part of this consists of the Chalcedonian canons. Naturally, the so-called 28th canon is not present, but the 27 canons are preceded by a portion of the definition of faith as it was read at the Sixth Session. A connecting link between this and the canons is formed by the concluding sentence of the allocution of Marcian at the end of that session, the actual sentence, in fact, which dissolves the session. Now, if we had not the verses to prompt us, it might have been impossible to conjecture why the author chose this scrap of allocution to include in his brief 'version of Chalcedon.' But its inclusion is altogether in line with the purpose of the writer to Nepos, and consonant with his words, "Chalcedona sequens hanc, Marcianus et auctor testatur." And further, the only part of the definition that has been translated is the opening section, the reaffirmation of the faith of the 318 and of the 150 Fathers and of Ephesus. (In our copy the text of the actual creeds is omitted.) The more debatable matter, the Chalcedonian definition itself, is not given. Thus, the version in VIII is exactly such an extract from the Acta as a conciliatory Western might have made in the days before the Henoticon, when there was still hope that the ecumenicity of Chalcedon might be accepted by the Monophysites and Latins alike. In short, we have in the form of our item VIII positive grounds for associating it with the book presented to Nepos.

So, if it be assumed that Bobbio is the place where T* was written, it follows that a copy of the work *ad Nepotem* lay there in the tenth century, when f. 36 was written, and that someone there knew that item VIII in T*, or the compilation of which T* was a copy, was derived from that work. And that in turn makes it likely that it was also at Bobbio, in the seventh century, that this compilation received the final augmentation consisting of XI, XII (the Dionysian pieces) and XXVII.

Of the VIII-block part of the augmentation, VIIIa and

VIIIb remain to be considered. The first is the well-known Breviarium Hipponense, which continued to be so well copied from an early date that it might have joined such a collection at any time. For that very reason it is more likely to have come into the compilation under cover of some other addition, determined by more particular circumstances, than by itself. And this, together with its position, is reason for thinking that it came in company with the Nepos Chalcedon.

Item VIIIb consists of the ten canons of a synod at Carthage in 421 A.D., known to us only by this text. Had it preceded VIIIa instead of following it, we might have supposed that its rarity caused its inclusion. But as it is, and when we observe that, though nine of its ten canons merely reënact decisions included in the 105 reënacted canons of 419, none overlap anything in the Breviarium, it seems most probable that VIIIa and VIIIb were already together, as representing the canon legislation of Africa,[66] in some other book, before being taken into our collection. The idea that a Latin collection of canons ought to have such representation of Africa, as well as versions of the Greek councils, was no doubt current before Dionysius, and was the reason why, in his second collection, he included the Africanum contained in volume A of our codex. This is, of course, a much ampler representation of African canon legislation than VIIIa and VIIIb. But the fact that these were already in T* explains why the Dionysian redactor of T* added only the Apostolic and Antiochene councils, and not the Dionysian Africanum. To this person our collection will have appeared an archaic alternative to the Younger Dionysian, in which it was only necessary to fill the *lacunae*.

We thus see what work to attribute to Bobbio and the seventh century. The Isidorian augmentation of the Carthaginian book, on the other hand, by the evidence of the lost leaves, dates back the better part of a century before the foundation

[66] As Maassen indicates (op. cit., p. 160), the Θ text of the Breviarium is uncontaminated, as other copies are, by the inclusion of canons from the Carthaginian councils of 397 and 401 A.D. It is therefore likely to be a pure and ancient text. Duchesne's view, mentioned above, is that whereas the Acta of 419 had wide publication in a polemical interest, it was the Breviarium that was regarded in Africa as the summary manual of African canon law.

of Bobbio. So the analysis of T shows the shelves of Bobbio as containing, in the seventh century, three books from an earlier age, which were all put under tribute for the building up of T, namely the Carthaginian book with Isidorian additions, the book written for Nepos, and another book containing the African canons, VIIIa and VIIIb. Now Bobbio, by the circumstances of its foundation and the genius of the Irish monks, played a most valuable rôle in salvaging catholic literature which had survived the Arian deluge. These books are a case in point. Of the second, the book dedicated to Nepos, it is probable that it was native to North Italy. The other two, if directly they came to Bobbio from North Italian homes, must have behind them a history that goes back ultimately to Africa. Certainly books from Africa did reach Italy during the fifth and sixth centuries, brought by catholics exiled from the kingdom of the Vandals. Of the contents of the Carthaginian book, it can be said with assurance that they would have been prized by any African catholic under Vandal domination, as a witness to Nicene orthodoxy. VIIIa and VIIIb might be precious also as a witness to the past greatness of the African church.

If Turner's conjecture is correct, some of the singular abbreviations in our codex are of African origin.[67] But it would be surprising that they should have been passed down in transcription unless the circumstances were specially favorable to such a thing. One such circumstance there was in the fact that Bobbio, as a new foundation dominated by Irish culture, was not bound by the conventions that prevailed in other seventh century Italian *scriptoria*, and therefore was more ready to accept from an exemplar new forms of shorthand. But even so, the survival of African abbreviations from the fifth century is only credible if the total number of transcriptions in Italy was very small. Thus Turner's observation would favor belief that the only times of copying within the Italian period of our history were the times of the successive redactions.

[67] J. T. S., xxx, 115 and, at greater length, in a contribution, entitled The Nomina Sacra in early Christian MSS, to the 4th volume of Miscellanea Francesco Ehrle (Studi e testi, 60: the relevant matter is on pp. 73–74).

VIII. Gennadius and the Colophon

The last part of T, item XXVII, is not a collection of canons at all, but the very popular tract called *Definitio dogmatum ecclesiasticorum*, now vindicated for Gennadius of Massilia, to whom it is ascribed in the heading written by the scribe of T* at top of f. 116b.[68] It is a document much associated with collections of canons, and Professor Turner planned to deal with it as such in a third volume of Ecclesiae Occidentalis Monumenta Iuris Antiquissima, in part because it figures frequently among the *spuria* of the Nicene council.[69] In the Journal of Theological Studies of 1906 and 1907 (vii, 78–99, viii, 103–114) will be found his valuable prolegomena, and a text representative, as he argues, of the oldest form of the tract. This, and the notes in Oehler's edition in Corpus haeresiologicum, show how a manual of this sort suffered emendation in copying, so that a fully critical edition is a work of very great difficulty. Turner prefers a text of which the chief representative is the Milanese Ambros. O 212 sup., a manuscript in an Irish hand from Bobbio, of about the same age as our codex. The chief criteria for this preference are the general comparative brevity of the text, and the presentation of Single, and not Double, Procession of the Holy Ghost. The Θ text belongs to a class characterized by a moderate amount of supplement and emendation, and by the fact of attributing the work to Gennadius of Massilia. Turner suggests that the tract, in its earliest currency, was anonymous, that later it became known that it was the work of Gennadius, and that the later erroneous attribution to Augustine nearly succeeded in driving the true attribution from the MSS.

Item XXVII ends on the last page of the codex, leaving room for a colophon in large black and red capitals. If we include an obvious reconstruction, necessitated by the fact that a corner of the leaf has been torn away, the colophon runs thus:

[68] This is scored through by t, who substituted the attribution to Augustine.

[69] See p. xiii of the Preface to E. O. M. J. A., I, ii, 3 and J. T. S., vii, 81–82.

†HECDEMENDOSISEXEMPLARIBVSTRANS
TVLITANDEMETQVEDAMQVIDEMQVA
NAMNONVTVOLVIT:TAMENPOTVIRe
CO RREXITQVEDAMAVTEMTACi
TOPRETERMISIRẼIDNIAR
BITRIODERELINQVENS
QVILEGISOREPROMEPE
CATORE:SITDMABEASRed
emp
*hvm*ILLIMVSOMNIVMDIA torem
*conorvm*THEODOSIVSINDIGNV
*sdi*ACONVSFECIT:

The curious arrangement of the lettering is due to a large puncture which had evidently formed in the sheet when the codex was written, and lay to the outer side of the page. A provisional rendering may run thus:

These things have I at long last copied, from originals full of mistakes. Some things, indeed, I have corrected, and where this is not as successful as I should have liked, it is done at least as well as I could. Some things, on the other hand, I passed over without correction, leaving the matter to the judgment of the Lord. Whoever thou art that readest, as thou hast God for thy Redeemer, pray for me a sinner. The humblest of all deacons, Theodosius, unfit to be a deacon, wrote this book.

From Maffei onwards, readers have assumed that this colophon was composed by the actual scribe of our codex, the whole of whose contents constitute the *haec* with which the colophon begins. This scribe was therefore assumed to be the person whose initiative brought together the various items in the codex, gathering them from a number of sources. Hence the codex came to be called "the collection of the deacon Theodosius." Maffei saw that there was something incongruous in the scorn which the scribe appeared to pour on his exemplars, the state of his own copy being taken into consideration. But he was content to pass the point by with a jest,[70] and it was left for Professor Turner to surmise that the scribe of our codex had copied, instead of originating, the colophon. His argument, which gained the approval of Schwartz, is grounded in the grossness of the mistakes in the colophon itself. The force

[70] *Opportune quidem Theodosius noster mendosa exemplaria incusat, mendis scilicet quam plurimis codex laborat; at ipsum nonihil in eo genere et de suo largitum esse, haec subscriptio comprobat, ut jacet allata* (p. 75, Opusculi Ecclesiastici).

of such an argument depends rather on the nature of the mistakes than on their grossness, however. A barbarous Latinist could make gross errors in composition. But there are other errors and aberrations which show themselves in copying which do not need or imply the copyist's ignorance of grammar. These are likely to appear most when the scribe is weary or preoccupied, and least when his full attention is on what he is doing. Consequently they are likely to be entirely absent from his original composition. We are therefore only in a position to judge the meaning of the errors in the colophon when we have discovered what are the characteristic copying faults of the scribe as judged by the codex as a whole. Certainly the most common is the addition or omission of final t or m, as *dixit* for *dixi*, *si* for *sit*, *indulgentia* for *indulgentiam*, *condicionem* for *condicione* and so on. There is no corresponding change of case in words of the second declension. This suggests that not only is it not a case of ignorance of grammar, but it does not originate from the eye. Rather it appears to depend on pronunciation. If the scribe read to himself as he copied, as is probable, and if *dixit* and *dixi* sounded the same, they would tend to be interchanged when his mind was not attentive to the sense. It may likewise be due to ear that c is frequently written for qu, as *comodo* for *quomodo*. There is another common aberration of our scribe where the fault begins with the eye, namely the perverting of the end of a word in sympathy with the ending of a word just further on, as *gratians agens* for *gratias agens*. Turning now to the colophon, we find four cases of an otiose t after i, and two of accommodation of a word-ending to something that follows, *remi* because of the following *Domini*, and *ore* because *pro me* follows. Thus there is an extraordinary concentration, in this short piece of Latin, of the scribe's most characteristic tricks of distraction. The reason of his distraction was, no doubt, the preoccupation of making the large lettering fill up the whole of an irregular space. But even allowing for that, it is not credible that the scribe could have made so many blunders if the colophon were his own free composition and personal to himself. Thus Turner's contention is certainly true; this is not an original colophon by the scribe of T*, but one that he has

copied from elsewhere. Turner, however, merely moved the situation assumed by earlier writers one stage back, and assumed that Theodosius was the scribe of a volume of which our codex is a copy. He therefore continued to think of our thirty items as 'the collection of Theodosius,' but put Theodosius back a century or so before the time of the writing of our codex. But once the colophon is recognized to be copied, a host of other possibilities present themselves, and allow escape from the difficulties which attend Turner's hypothesis. Our content-analysis of T is in conflict with the claim of one man at one time to be the compiler. And if item XXVII is left on one side, there is nothing in T, excepting the Ancyran canons, which seems to connect with the claim of the colophonist to have attempted emendations of his faulty exemplars. Whatever the original reference of the colophon may have been, it was not to the contents of T. It may have stood at the end of the exemplar from which our scribe copied the Gennadius tract. The *tandem* of the opening sentence of the colophon forbids the supposition that the reference is to this tract alone. The MS tradition of the tract is such, certainly, as to cause a learned and careful scribe to do the things which the colophonist says he had done. This suggests that the exemplar from which item XXVII was copied was part of, and perhaps the last item in, a volume of doctrinal treatises. But we cannot rule out the possibility that the colophon was copied out of some totally unconnected source because the scribe admired it, or because the name of Theodosius meant something to him and piety moved him to broadcast the appeal for the prayers of the faithful, or simply at the bidding of a superior. It thus appears that the supposition upon which the whole theory of 'the collection of the deacon Theodosius' depends has no validity. Instead, we must account for our codex somewhat as follows:

(1) The library of Bobbio, at the end of the seventh century, contained a compilation of canons which had grown up about a nucleus of fifth century Carthaginian origin. Our scribe copied this out into a vellum book of twelve quaternions, perhaps making insertions.

(2) Ten leaves of the book being still empty, the scribe, or the master of the *scriptorium*, selected the tract of Gennadius, chiefly on stichometric grounds but partly on grounds of subject matter, to complete the volume. When this had been copied, the greater part of the imperfect last page remained blank. For some reason it was decided to fill this by copying the colophon of Theodosius, the size and arrangement of the lettering being such as to fill all the blank space. Nearly all copies of the Gennadius tract have two or more chapters additional to those in item XXVII of our codex, and the colophon may have been written in this fashion to preclude the addition of further chapters. This suggests that the original colophon stood at the end of the copy of the Gennadius tract from which our item XXVII was made.

(3) Between the eighth and the tenth centuries, the volumes A and T* were transferred to Verona, and since there was negotiation between the two places concerning the contents of T, as evidenced by f. 36, in the tenth century, it appears probable that the transfer was then recent.

(4) It was probably the ingenious if unscrupulous scholar whom we have designated t who recognized the identity of scripts in A and T* and united them into one volume. He corrected and annotated those texts that were familiar to him, especially the Gennadius tract, while leaving the unique texts for the most part untouched. Unfortunately, however, he conceived the desire to add the Dionysian version of the canons of Sardica, and, for this purpose, erased the whole of the list of subscriptions to the Sardican canons in the Θ text. This left him still with the necessity of introducing two extra leaves into the volume to take the Dionysian text, where he might just as well have introduced double leaves, and spared the subscriptions. Since his time the codex appears to have been left alone, apart from the removal of seven leaves and repairs of binding. The palimpsest leaves have been examined at the Vatican under infra-red rays, but it appears that t did his work of erasure so efficiently that no hope of reconstructing the subscriptions can be entertained. This is the one gloomy episode in what must otherwise be regarded as a very happy history of preservation

in MS tradition of a precious group of ancient documents, which lies before us in the Verona codex LX(58).

IX. Conclusion

It has been inferred from f. 36 that T* was written at no great distance from Verona. For the purpose of such literary relations between the two places, the 100 miles that separate Bobbio and Verona is no great distance. Milan and Padua are nearer to Verona, but we have no reason for thinking that either was, during the period seventh–tenth centuries, so important a centre of intellectual life as Bobbio. For that reason, Bobbio has been taken as the probable home of our Θ text.

Studies that have recently been expended on the early history of the Bobbio library, and of the library which Cassiodore built up at his monastery of the Vivarium in Calabria, have results suggestive for our quest.[71] They have made it appear that shortly after the death of Cassiodore and the subsequent collapse of his monastery, in the days of the Lombard invasion, the codices that had been the pride of the Vivarium were taken to the north of Italy. Here, a lion's share of them reached Bobbio, soon after its founding in 614 A.D. And either Bobbio secured the whole and, later, parted with some codices to Verona and elsewhere, or else the collection came first to Milan or Padua or some other centre, thence to be shared, most to Bobbio and some to Verona and the rest.

Now, the remarkable canon-collection contained in T is evidently such a work as might have been in the library of Cassiodore, and have come thus to its home in North Italy. And it will be worth while to follow this hint, and see if it seems to offer explanation of any of the still-mysterious features of our codex. The starting-point is the information given by Cassiodore himself about the character of his library. In the De institutione divinarum litterarum, c. 14,[72] we read of codices of such incredible size that the *codex grandior* of the

[71] A review of these studies, entitled Handschriften von Vivarium, occupies pp. 75–88 of the 4th volume of Miscellanea Francesco Ehrle (Studi e testi, 60), and is by Prof. Wilhelm Weinberger.

[72] Migne, P. L. 70. 1125c.

Scriptures reached 95 quaternions! In 'cupboard viii' were the Greek 'pandects' filling a codex of 90 quaternions.[73] There was the Psalter written in three codices, *quoniam unus codex onerosus quibusdam fratribus poterat inveniri.*[74] As Dziatzko pointed out, codices of such a size cannot have been bound like later parchment codices.[75] He suggests that the piled quaternions were kept in order by boards above and below laced together in some way. Even this is hardly practicable for amounts of the order of seven to eight hundred sheets of parchment; though it would be practicable with the like amount of paper. Now, in a letter of his secular days, written in 534 or 535, Cassiodore describes the process of paper-making as carried on in Egypt, and implies that Egyptian paper is a commodity obtainable by the officials of Theodoric, if they are sufficiently interested in their chancelries.[76] He clearly takes great pleasure in the use of good paper, and it is likely to have been one of the tastes which he carried with him into his retirement. And so, at a time when most ecclesiastical writing in the West was on skins, we may suppose that the codices of Cassiodore were on paper. These fat 'binders' were not so badly suited for the use of the studious in the library, but they were awkward as books for frequent use. Therefore we find that the psalter was broken up into three codices. But this did not solve all difficulties, and the brethren are advised to have a copy of the whole psalter in one codex, as a check. *Habeat ergo bibliotheca vestra unum ex his codicem ad quem recurratis, si vos mendositas fortassis offenderit. Fratrum vero curiositas partibus se expleat distributis.* The kind of *mendositas* that could be obviated by such a precaution is the tearing or loss of leaves, through the *curiositas* of many persons in the use of one work. Cassiodore never speaks of volumes, but only of codices. And it seems therefore that these three sub-codices of the psalter were no more bound volumes than any other of the Vivarium books.

[73] Migne, P. L. 70. 1126a.

[74] Migne, P. L. 70. 1115d.

[75] K. Dziatzko, Untersuchungen über ausgewahlte Kapitel des antike Buchwesens, 1900, p. 109.

[76] Migne, P. L. 69. 849 (Varia, xi, 38). In De inst. Div. litt. c. viii, there is mention of the reception of books from Africa.

This peep into sixth century *Bibliothekswesen* confronts us with a very singular episode in the history of the book. Here, in special and local circumstances, it appears as a huge pile of paper leaves folded in quaternion, confined in some sort of binder, and stored in a numbered locker. The library of the Vivarium was probably one of the last great collections of paper loose-books of this kind.

The explanation that suggested itself for the defect in the copy of the Ancyran canons in our codex, and of the displacement of this council from its usual place in series, was that the scribe had found two alternate leaves of his exemplar missing and had held back this part of his matter in the hope of finding them. Now, a parchment leaf is not likely to break away at the fold, unless used with considerable violence, and so a paper exemplar suggests itself. But one does not usually expect to recover leaves that are discovered to be missing from a stitched paper book. It would be different in the case of these Cassiodorian loose-books. Modern experience of the way in which the contents of a letter file will get out of order or mislaid argues that similar accidents must have been well-known to the users of these unstitched codices.

A similar feature appeared in A, where the book was apparently made for the reception of this one work, and then the last pageful was missing from the exemplar. Again, the page left blank argued that there had been some hope of finding the missing matter. It is perhaps worth remarking that the page-content of the hypothetical losses in the two instances is the same, namely some five-sixths of the page-content in our codex. If the explanation is right in the case of A, it means that this text of the Africanum of 419 is of even greater value than has hitherto been recognized.

There remains in T a mystery still unsolved. Why did our scribe suddenly break off the brief narrative in item X, with the conclusion EXPLICIT. DEO GRATIAS. AMEN? We should presume that at this point he considered himself to have brought to a happy conclusion some considerable task. Thereafter he starts afresh with the two sets of Dionysian canons. There is nothing, however, to suggest that item X was ever

the natural end of any document. On the contrary, in our reconstruction of the Carthaginian book, on the supposition that the *ecclesiastica historia* had nothing, in a narrative way, on the synod of Sardica, it was argued that items XIII, XIV must have followed straightway upon the announcement at the end of X of the holding of the synod. The behavior of our scribe at this point becomes intelligible if we think of him as having in his hands a block of leaves from a loose-book, with item X forming the bottom of the verso of the last leaf. On this hypothesis, the following leaves contained the Sardican block. It was perhaps not originally the intention to copy this. And in this case, the arrival at the end of the non-Sardican leaves might justify a *Deo gratias.*

But when this task was done, the scribe had a canon-collection that was defective, on Dionysian standards, and called for Apostolic, Antiochene and Sardican councils. We may suppose it, therefore, to be the same scribe who first wrote the *Deo gratias* that proceeded to add the Dionysian items, XI and XII, to what he had copied from the loose-book. But then, instead of anticipating t in the task which he, so disastrously, carried out later, he chose to copy the Sardican Council whose text was at hand in the continuation of the loose-book.

Thus it appears that features of our codex which are inexplicable on the basis of the descent of the text through a series entirely of bound exemplars become intelligible when we suppose the intervention of a loose-codex of the Cassiodorian kind.

This hypothetical loose-book contained the Isidorian collection less the canons of Antioch. T is the only set of Isidorian councils defective in this particular way. It is, however, a tribute to the general ignorance of early church history prevailing in the Middle Ages that this is so. Wherever there was learning enough to provide any knowledge of a council of Antioch, it was of the Dedication-synod. Both the Dionysian and Prisca versions make this attribution of these canons. But even where it was made, it seems to have roused no doubts of the validity of the canons. Cassiodore, on the other hand, connected these canons with the Dedication-synod, and held

them, for that reason, to be unusable by the orthodox. In his Historia Tripartita, book IV, cc. 9 and 10, he comments very unfavorably upon the Dedication-synod.[77] When he characterizes it as underhand and of bad tendency, he is not simply reproducing his source, which, at this point, is Socrates; and particularly in implying that the synod and its Acta might appear good but were not worthy of confidence, he goes beyond it. Equally does he exceed the text of Socrates, which is again his main source in his book X, c. 17, in telling of the use made against Chrysostom of the canons of Antioch.[78] Here he is no doubt drawing on Palladius.[79] And he registers an altogether explicit condemnation of the use of these canons, since, he says, whoever uses them makes himself an adversary of Athanasius, against whom they were framed. Here is a judgment — and it seems unique in the sixth century — which would lead to the exclusion of the Antiochene canons from the Isidorian series. And it seems to justify us in regarding the absence of these canons from the set in our codex as being, very probably, the mark, if not of the Vivarium itself, at least of some centre connected with it or under its influence. And we may suppose that when the Carthaginian book was there augmented, the result was viewed as being a collection of canons which, from the age of Nicaea, were received by orthodox Greeks. To the same redaction we may attribute the removal of the Rome-Antioch document which is now item III, to its place of honor next after the trilogy Nicaea-Ancyra-Neocaesarea.

When this loose-codex, early in the seventh century, reached North Italy, it must have come to rest in company with the book dedicated to Nepos and an African book containing the Breviarium of 397 and the Carthaginian canons of 421. Since it has been presumed that the dedication verses were, in the tenth century, still with the text of the Nepos book, it may be conjectured that already in the seventh century it was a bound parchment codex that contained both. By that time and place, the notion of a general canon-collection embraced more

[77] Migne, P. L. 69. 960d–961b.

[78] Migne, P. L. 69. 1178d.

[79] Vita Chrysostomi, c. 9. Migne, P. G. 47. 31–32.

than the contents of what we may call, without prejudice, 'the Vivarium book.' Here was reason for further augmentation. But if this had taken place at one time, under the influence of the full Dionysian standard, we should have expected the whole augmentation, and not just two parts of it, to have been from the younger Dionysian text. This is reason for supposing that there took place first an augmentation of the actual loose-codex, by the insertion of leaves between Constantinople and Sardica containing the Nepos-Chalcedon and the two African pieces. This would leave a collection which, somewhat later, when the Dionysian standard was still more prevalent, would cry out for the final augmentation consisting of items XI and XII. But this would be at a time so near that of the scribe of Θ as to make it unnecessary to suppose it to be anyone else's work but his. We may thus suppose that it was the primary hand of our codex that was responsible for the transposition of Ancyra, the *Deo gratias* after X, the addition, next, of XI, XII, and finally the filling of the volume with the *Definitio dogmatum* and the colophon of Theodosius. We thus reach the following hypothetical history of our codex and its contents.

Polemics at Carthage in the early fifth century led to the accumulation of a collection of papers in the episcopal *scrinium* from which, shortly before the disasters of 430 A.D., a Carthaginian clerk compiled a book about the synods of Nicaea and Sardica, councils with a strong topical interest for the African church at that time. During the days of the Vandal persecution, a Catholic refugee from Africa brought a copy of this Carthaginian book, now viewed as a manual of Roman orthodoxy against Vandal Arianism, to Italy. By whatever means, a copy of this work came to rest in the library of the Vivarium, where it was used to form the ground-work of a canon-collection representing the Greek Nicene Church. This new work, forming part of the contents of an unbound paper codex, came, in company with many similar codices, into North Italy in the early seventh century. The same codex, or a companion, contained the Africanum of 419 in the text reproduced in A. Meanwhile the Nicene-Greek collection was further augmented

by the insertion of the VIII-block to conform it to the prevailing Italian conception of a general manual of church canons.[80] The codex in this form provided most of the contents of T*, being brought up to full Dionysian standards by the scribe of that volume with the addition of items XI, XII. The same scribe had also made a copy of the Africanum of 419, in A. But he did not add this to T*, because there were already present, in VIIIa and VIIIb, something that fulfilled that purpose in the Dionysian scheme. It was left to a twelfth-century clerk, at Verona, to join A to T. For him the authority of the Dionysian version was supreme. He must needs add Dionysian Sardica to the Sardica of T*. Equally, by uniting the volumes A and T, he superposed the Dionysian Africanum upon the archaic Africanum consisting of VIIIa and VIIIb. Much of his marginal annotation is in the same interest.[81]

In spite, therefore, of what he did to the name-list of Sardica, we are beholden to him. He did think these antique books, probably acquired by his church from Bobbio in Pacifican days, worth amending and preserving. And having thus labored upon them according to his lights, he ensured their survival.

Additional Note A. Maffei

In all the long history of the Chapter library of Verona there is no single name that stands out more signally than that of the Marchése Francesco Scipio Maffei, 1675–1755.

Maffei was a native of Verona, educated as befitted a person of his time and station in a Jesuit college, and already showing some ability as poet and dramatist when he went to serve in the Bavarian forces in the war of the Spanish succession. Thence he returned in 1710 to begin association with a

[80] It is difficult to strike a balance of probability between Vivarium and Bobbio for the VIII block redaction. If the scribe of T* is the last redactor, who rearranged VII and added XI, XII, XXVII, the VIII block was added in loose form, and therefore probably on paper, and at the Vivarium. But this requires that the *ad Nepotem* and African canon-manual were at the Vivarium, and that the former, or a copy of it, also reached Bobbio. If we suppose that the three books were together for the first time at Bobbio, we have to suppose that the *ad Nepotem* Chalcedon was inserted into a Vivarium paper codex on sheets of vellum. Nothing material seems to hang upon the choice of alternative.

[81] Maassen, op. cit., p. 547 notes that the corrections of t suggest that his authority was a codex of the type of cod. Vat. 1342. This codex does not seem to have survived, at any rate among the Verona rediscovered MSS.

group of young men of letters who produced in Padua the Giornale de' Letterati d'Italia, which ran, with intermissions, for thirty years. In 1711 he made the acquaintance of the manuscripts and antiquities of the Royal Library at Turin, and discovered what was to prove the dominant interest of his life. When he came back to residence at Verona, he pestered, as he says, Canon Carlo Carinelli, the octogenarian Chapter librarian, to know what had become of the manuscript treasures of the Cathedral, and in particular of above two hundred codices written under Archdeacon Pacificus and recorded in his epitaph. Carinelli had no knowledge of any such manuscript treasure. Nevertheless, he awoke, one October morning in 1713, with an idea which he communicated to the Marchése by messenger forthwith. The effect was electric. Early morning Verona was diverted by the sight of the nobleman in dressing gown, night-cap and slippers, running through the streets on his way to the Palazzo dei Canonici. There he was led by Carinelli to the small and ill-lit muniment room, or Cancelleria, and shown a huge press or cupboard which almost filled the room. When the doors were opened, the press proved to be full of leases, inventories, and deeds of one sort and another. But, as the Canon pointed out, the internal ceiling of the press was much lower than the top of the press as seen from outside, and he asked, Is there anything in the top of the press? A ladder was got, and Maffei ascended, to find the top of the press covered in with rough slats. When these were pulled away, Maffei found himself looking down into a receptacle which he likens to the 'boot' of a stage coach. It was packed with manuscripts. A little later, Canon Nigrelli, passing the door of the muniment room, heard strange sounds and looked in. The young man and the old were diving into books which littered the floor, and shouting their discoveries each to other.

The explanation of this loss of a manuscript library is as follows. A severe flood of the river Adige in 1574 damaged the capitular buildings. Several of the rediscovered manuscripts suffered by the wetting which they then got. (See a note by Turner in J. T. S., xiii, 19.) Fifty years later, the library room was taken for chapterhouse, and the books were stored away, pending the building of a new library, the MSS being bestowed in this cupboard-top against recurrence of flood. The librarian at this time was Canon Agostino Rezzano. In 1625 he catalogued the books as they were stored away, the codices being arranged according to format, as folio, quarto, and octavo. A copy of this catalogue of manuscripts, dated in June of that year, and made, later, by Giuseppe Bianchini, canon of Verona and librarian, survives in the Verona codex DCCLXXXIV, f. 121. Our codex is identifiable as Quarto 20, Canones antiqui, et alia ad ritus ecclesiae spectantia. (See Archivio Veneto, xxx, 505–508.)

In 1630, when building was about to begin, Verona was stricken by the plague. Rezzano and the greater part of the cathedral personnel fell victims. For a while, the Chapter buildings were entirely deserted. It was a long while before the library was rehoused, and when this did take place, no one knew the whereabouts or was even mindful of the existence of the manuscripts, of which Maffei thus became effective rediscoverer. Unfortunately, on the strength of this, he began, as the Chapter felt, to treat their MSS as if they were his own property. The Canons were undoubtedly piqued when Maffei published his edition of the Complexiones of Cassiodore from one of the

Chapter codices, and enhanced his own share in the discovery by suggesting negligence on the part of the Canons. This was in 1721, and Maffei tells his own story of the discovery in the preface. The Chapter tried to reassert its authority, first by encouraging Bianchini to publish an edition of the Ordo Romanus from one of their codices, and secondly by pressing for the return of MSS which Maffei had borrowed. A very little might have eased the strained relations, but Maffei was difficult, and eventually a flagrant indiscretion on his part led to a public quarrel with the Chapter in 1728. This ended in an exemplary reconciliation. But the prestige of Maffei had driven the Chapter to seek the support of Rome through the Veronese intermediary Francesco Bianchini, the Papal Chamberlain and uncle of their colleague. There can be little doubt that the gift by the Chapter to the Pope of seven leaves originally deriving from our codex (see Additional Note H) is intimately connected with this episode. The quarrel did the Chapter library no harm. It roused the Canons to a sense of their responsibility and a pride in the treasure of which they were trustees. And the reconciliation bore fruit in the great enrichment of the library under Maffei's will in 1755. The curious reader can follow this very human but not unedifying story through all its details in the original documents published by Canon Count G-B. C. Giuliari in Archivio Veneto, volumes XXIII and XXVII.

Soon after the discovery of the codices, Maffei planned a detailed report upon them, under the title Bibliothecae Veronensis Manuscriptae. But the work flagged in view of new preoccupations and the increasingly impatient and controversial temper of the savant with the years. Nevertheless, when in 1737 the Giornale de' Letterati had ceased publication and Maffei had taken in hand a half-yearly substitute called Osservazioni letterarie che possono servir di continuazione al Giornal, he printed in the third volume (1738, pp. 1–92) an account of our codex and its contents. Four years later, an edition of his Istoria Teologica published at Trento (1742) had the appendix on Opusculi Ecclesiastici augmented by Bibliothecae Veronensis Manuscriptae, part I, beginning on p. 75 of the Opusculi. It appears from this general description of the manuscript library that Maffei was ignorant of a catalogue that had come into being, in which our codex was numbered 55, by which number the Ballerini cite it. In a letter of 16 September, 1721, Maffei had rejoiced, when the Chapter was pursuing him for the return of borrowed codices, that the Canons had no catalogue and could only guess at what he had. (See Archivio Veneto, XXVII, 463–464.) They, however, seem to have been able to state what was missing. We may therefore place the foundation of the present MSS catalogue about this time.

On pp. 254–272 of the Opusculi, in the description of our codex, Maffei reprints his article in Osservazioni. It gives his transcript of our items XIX, XX, XXI, XXII and XXVI accompanied by a remarkably good and acute historical commentary, in which he shows that our codex is an important early source for the history of Athanasius. The particular attention bestowed upon our codex is explained, it appears, by the fact that in 1720, when he was working on the projected Bibliothecae Veronensis Manuscriptae, there was talk of a new edition of the Church Councils. Many of the learned in Verona expressed curiosity as to the primary sources available for such an edition. Maffei accordingly undertook his sketch of our codex. But the article

lay on one side until, eighteen years later, it came in for publication in Osservazioni.

Under an order of 10 February, 1781, the Chapter appointed an assistant to the Canon-librarian, a priest called Antonio Masotti, who left two stout volumes entitled Biblioteca MS Capitolare, recognita, digesta, suppleta, Veronae, 1788. (Archivio Veneto, XIX, 86–88.) Their contents have never been printed, and it appears that Masotti had made but poor use of the material compiled by Maffei for his Bibliotheca.

A good short study of Maffei is to be found in Archivio Veneto, 5th series, V and VI (1929, pp. 271–303; 1930, pp. 236–286), entitled La personalità di Scipione Maffei, by Luigi Pasolli.

Additional Note B. The Ballerini

The second authorship under which appeared an account and the — much more extensive — publication of the contents of our codex is that of the Ballerini brothers, sons of a distinguished surgeon of Verona. Pietro, born in 1698, and Girolamo, born in 1702, had great gifts of scholarship and remarkable memory. Pietro was more the theologian and canonist, and Girolamo the critical historian. But the trait that gives them their outstanding position is the mental sympathy which made them lifelong collaborators. Each initiated work, but nothing that either did went to press without discussion and full agreement reached with the other. The most famous fruit of their collaboration is the three volume edition of St. Leo the Great appearing in 1755 and 1756, the years immediately following the proclamation of St. Leo by Benedict XIV as a Doctor of the Church. The third volume, reprinted as Migne, Patrologia Latina, tom. 56, contains an edition of a very great part of the contents of our codex, besides description and critical notes.

The appearance of so much about our codex in a collection of the works of St. Leo calls for explanation. It is quite unconnected with the presence of a Leonine fragment on f. 98b. It is, in fact, so much bound up with the life-history of the brothers that it is best conveyed by continuing their story.

They began their literary collaboration, with the encouragement of Maffei, in 1722, by undertaking an edition of the works of their compatriot, Cardinal Noris. And it was Maffei who wrote to them from France when the work was complete in 1732, to assure them of the deep impression made upon the learned world by the fourth volume, in which they had edited the History of the Donatists for which Noris had left but fragmentary notes. Maffei, again, when they were preparing the edition of the Sermons of St. Zeno of Verona which came out in 1739, collated for them a manuscript at Rheims, and later gave the work very favorable review in Osservazioni, VI, pp. 179–231. By this time the brothers occupied a very distinguished place in the remarkable cultural life of eighteenth century Verona. And while their keen and impartial judgment determined their side in the various controversial discussions which took place in the somewhat inflammable intellectual life of Verona, their personal relations with their fellow-citizens seem to have been untroubled. Thus, in 1744, when the question of usury was in debate, Pietro Ballerini and Maffei appeared on opposite sides in a battle of tracts which was ended in favor of the former by the papal encyclical Vix pervenit of 1747.

Again, in 1753, the Ballerini used their historical knowledge and judgment to explode the ill-founded claim of the Verona Chapter to be exempt from episcopal jurisdiction. But in each instance there seems to have been complete absence of ill-feeling.

The event that led indirectly to the edition of St. Leo was the appeal of the Republic of Venice against Austria, in 1748, for the right to nominate a successor to Cardinal Delfino as Patriarch of Aquileia. Benedict XIV arbitrated, and as the Ballerini were known to have the history of the Patriarchate at their finger-tips, Pietro was sent in the Venetian deputation. To the scholar-pope he was its most interesting member, and relations of confidence were soon established. The Pope had in hand a task for such a man, urgently needing to be done. In the edition of the works of St. Leo by the Jansenist Pasquier Quesnel, published in Paris in 1675, there were learned dissertations which aimed at refutation of the constitution Unigenitus. Quesnel had found in the library of the Oratorians (of whom he was one) in Paris a canon-codex which seemed to him to express a less advanced view of the Roman primacy than was implied in the Dionysian collection. He decided that the collection in the Oratory codex, since known in consequence as the Quesnelliana, represented the state of canon-law under Leo, and argued that, by comparison, the Dionysiana proved that there had been innovation in the Roman claims. The work was placed on the Index, but the task remained of counteracting its influence by an orthodox edition of Leo. T. P. Cacciari, commissioned for this task by Clement XII, had given up. Benedict now laid it upon the Ballerini. Their achievement is to have produced a far better edition than Quesnel's, and to have answered powerfully all his anti-Roman dissertations. His thesis that the canon-law under Leo refuted later Roman claims was first countered by showing that the Quesnelliana was not Roman but Gallic. To make this proof sure, the Ballerini, in their third volume, reviewed the whole history of early collections of canons. And it is in the course of this epoch-making work that they had occasion to make such full reference to what was, to them, codex 55 of the Verona Chapter library. Quesnel's pretended Codex canonum et constitutionum Ecclesiae Romanae of Leo the Great is now cod. lat. Paris. 3848 A. A delightful account of the Ballerini, written with the help of Veronese correspondents just after the publication of the Opera Leonis, is in vol. 2, Pt. I, Gli Scrittori d'Italia, published at Brescia by Count Giammaria Mazzuchelli in 1758.

Additional Note C. Maassen

Friedrich Bernard Christian Maassen, born a Mecklenburger in 1823 and educated for the law, was, at the age of twenty-six, converted to the Roman faith. This meant that he had to seek his career elsewhere than in his homeland. In 1857 his work gained him the notice of Count Leo Thun, Minister of Cultus in the Austrian empire, who was embarking on a policy of reform in the Austrian universities. From then until his death in 1900 Maassen lived in Austria, holding law professorships at Innsbruck, Graz and Vienna, of which last university he became Rector Magnificus in 1882. Maassen made it his aim to reduce to order the sources for canon law after the model of the work of Savigny on Roman law, and projected five volumes to this end. Only the first of these, published from Graz in 1870, ever got into print. The title

of the series was to be Geschichte der Quellen und der Literatur des canonistischen Rechts im Abendlande bis zum Ausgänge des Mittelalters. The first volume carried the story into the ninth century and is in itself a masterpiece of system and clarity. In connection with this work Maassen was subvented for travel and work in foreign libraries. It is a great pity that his notes on these journeys are not published. His manner is to refer the reader continually to the Ballerini (and at one point to Reifferscheid, whose reports to the Vienna Academy on the MS libraries of Italy were being made while Maassen was producing his book) and to mask the fact of his own first-hand scrutiny of our codex. Side by side with Reifferscheid, Maassen set about to describe the canon sources in the Italian libraries, in Bibliotheca Latina Juris Canonici MSS, of which only Part I ever came to press. It is entitled Die Canonensammlungen vor Pseudo-Isidor, Italien, and was published at Vienna in 1866.

In his Geschichte, Maassen gives an excellent description of our codex on pp. 546–551. But the greatest merit of his book is to set the contents of our codex, piece by piece, in relation to other MS sources for the same matter, all through the volume. The matter relevant to our study is to be found on pp. 10, 11, 38, 39, 50, 52, 64, 65, 71, 72, 74, 80, 81, 84, 106, 108, 109, 110, 111, 114, 115, 144, 155, 160, 176 note 1, 182, 232, 311, 351, 353, 397, 409, 742.

In Bibliotheca Latina there is a short description of our codex on pp. 424, 425.

The observations on our codex for which we are indebted to Maassen are: The text of the African canons in A is very close to what he calls the 'pure Dionysio-Hadriana,' of which the standard is the copy given to Charlemagne by Adrian I in 774. The corrections by t of the Θ text indicated in his marginal notes bespeak as his authority a collection of the family I. 1. B. 1. e. bb in Maassen's system (see pp. 512 seqq. and 547). The particular MS of this group must have been one which, like cod. Bodleian. 893, contained the Definitio Dogmatum under the name of Augustine. The text of the Breviarium Hipponense, item VIIIa, in our codex is unique in the omission of two canons of 397 and one of 401, of councils of Carthage, which in all other texts are added to the actual canons of Hippo. (This shows that there was a special source for Θ, here.)

There is a good notice on Maassen by his colleague R. von Scherer in Historisches Jahrbuch, 1900, pp. 640–642.

Additional Note D. Batiffol

Pierre-Henri Batiffol was born at Toulouse in 1861 and in due course became a pupil successively of Mgr. Duchesne and of Cav. de Rossi. His ruling interest from then on became the critical study of Christian origins, while his forte lay in the analysis of the documentary sources of history. Among such documents, the Historia Acephala was known to him through reprints, in Gallandi, Mai and Migne, of Maffei's edition. He found an opportunity in 1891 to visit Verona and make a collation of item XXII in our codex. Perhaps this followed upon the Abbé Nolte, of Paris, getting Maffei's text checked by Canon Giuliari in 1887. In 1898 he became Rector of the Institut Catholique in his native city, and a Domestic Prelate, and was invited to contribute to the Mélanges de littérature et d'histoire religieuses which were published in the following year in honor of the episcopal jubilee of Mgr. de Cabrières,

Bishop of Montpellier. He took the opportunity thus offered to publish his edition of the Historia Acephala, which occupies pp. 99–108 of the first volume. Two years later, in Byzantinische Zeitschrift, 1901, pp. 128–143, he attempted to identify the Historia Acephala with the Synodicon of St. Athanasius mentioned in Socrates I, 13. This followed up his article, Sozomene et Sabinos in the same journal three years before (VII. 265–284) in which he analyzed most successfully the use by Socrates and Sozomen of the Syntagma tôn synodikôn of Sabinus of Heraclea. The new essay in analysis was not so fortunate. The author began what he entitled Le Synodikon de S. Athanase with a preconceived idea of the nature of this Synodicon. In it he found a place for the Historia Acephala and for other items in our Verona codex which he believed to belong to the same work. But he also found place in it for a great deal of matter common to the fifth century historians that is perceptibly different in character and quality from the Historia Acephala. This last is not of the nature of a Synodicon, however partisan. It is publicist, for the glorification of a cause and the vilifying of its opponents. This is particularly evident in its treatment of the story of Paul of Constantinople, a somewhat garbled story dragged in for the purpose of provoking hatred for the common enemy. Athanasius makes a like use of it in his polemical histories, and it is to this class of literature that it belongs. Thus, on the ground of its essential qualities, the Historia Acephala can be no part of the Synodicon. Nevertheless, Batiffol's article did a great deal towards a true appraisement of Cyril's *ecclesiastica historia*. It made three points:

(1) The Historia Acephala is part of a document known to Sozomen to which also belong four pieces extant in Greek in Athanasian collections, referring to the Arian pretender Lucius. These pieces our Latin versionist deliberately omitted.

(2) The whole to which it belonged was a polemical *dossier*, the argument of which was supported by citation of appropriate documents.

(3) Items I, IX, X, XXVI of our codex, and perhaps more, are also pieces of this Alexandrine compilation.

As may be seen from La Paix Constantinienne (p. 466, note 1), Batiffol continued to maintain his Synodicon theory.

Under the title of L'oeuvre de Mgr. Batiffol, Père Gustave Bardy, in Recherches de Science Religieuse, xix, 1929, 122–141, gives a general appreciation of his work.

Additional Note E. Turner

No one has given closer attention to our codex than Professor Cuthbert Hamilton Turner, of Oxford. He records (J. T. S., xxx, 115) that he saw it first in 1890 and last in 1922. Two years after that it was moved to the Vatican for technical attention, but it was examined there on Turner's behalf by Mr. Edward Stevens in 1929. (E. O. M. J. A., I, ii, 3, xiv.)

Turner's first visit to Verona, when he was thirty, fell in the last period of the very distinguished librarianship of Canon Count G-B. C. Giuliari, a man highly praised by many distinguished foreign visitors to Verona, and, in Neigebaur's phrase (Serapeum, 1858), a librarian born. But the Canon was already ailing, by 1890, and the literary alliance that Turner might otherwise

have formed with him was formed instead with Don Antonio Spagnolo, whom the Chapter appointed as Vice-bibliotecario in 1894. As Spagnolo was not a Canon, he bore, until his death in 1916, only the title of Custode. In him, also, the Verona library was admirably served. Spagnolo records (Nuovo Archivio Veneto, xii) that in the first year of his charge Turner paid a three day visit (May 20–23) for the purpose of consulting our codex. There were further visits during which Turner and Spagnolo must have entered very thoroughly together into the problems which it presents. This will be plain to anyone who compares Turner's article in the Guardian of 11 December, 1895, with that of Spagnolo in the Atti of the Turin Academy in the following year. Allowing for the fact that Turner's article was already in Spagnolo's hands when he wrote, he still appears as seeing the whole question as one personal to himself (l.c. pp. 518–519). So began a warm friendship between the two men, to which Turner pays a charming tribute in his memorial of Spagnolo, J. T. S., xx. Over codex LI(49) Spagnolo and Turner collaborated in articles that appeared in J. T. S., volumes xiii, xvi and xvii. After Spagnolo's death, Turner completed this work in further instalments, in volumes xx and xxiv. The collaborators were last together in 1911, and the rest of the collaboration was carried out by post, much of it in wartime. Turner's Guardian article is entitled 'The Verona MSS of canons: The Theodosian MS and its connection with S. Cyril.' For so epoch-making a study, it could hardly have been bestowed less conveniently for consultation. Turner begins with a note on the Verona library, and a description of some of the older codices, and then passes to a discussion of our codex. He announces, next, his 'small discovery' that seven leaves bearing the Apostolic canons which have been removed from the codex are in existence as codex A. III. 24 of the Biblioteca Casanatense at Rome. He then observes that if items II–XII are posterior additions grafted onto an already existing nucleus, with a view to its completeness as a repertory of canon law, one common thread runs through the rest of the collection. So he proceeds to enunciate the 'Apiarian' hypothesis. But he over-simplifies the solution of the problem by trying to derive all the fourth century documents from Alexandria. He holds them all to be 'the Alexandrine answer to the question at issue, whether the Sardican canons were Nicene,' and describes them as 'a congeries of all the information bearing on both councils, their canons, their synodical epistles, their position in the framework of St. Athanasius' life.' This is to overlook the fact that when the letter to Coelestine closed the 'Apiarian controversy,' the Africans still did not know the canons of Sardica. In the meanwhile, Schwartz has disposed of the idea that the Sardican collection in T came from Egypt. Thus the prerequisite for a satisfactory solution is the recognition that Nicaea and Sardica formed, for the Africans, not one single problem but two unconnected problems. What Turner suggests, that the entire text of the Sardican canons in their historical setting formed part of the narrative of the 'history,' is not seriously to be entertained. Works of the *dossier* type, such as this 'history' clearly was, do not cite documents whole for their own sake. Further, the historical setting of Western Sardica, which, on Turner's theory, is the supreme point, is just what has been left out.

It is not enough, however, to set aside Turner's hypothesis. We need to find a more tenable interpretation of Cyril's reference to the proof-value of

the *ecclesiastica historia*. It is clear that canon vi of Nicaea and the synodal letter to the church of Egypt which forms our item IX are closely related, in upholding the traditional rights of the Alexandrine bishop to control all consecrations within the province. Item XXVI, presumed to be part of the 'history,' bears on the same issue. In the canon, the rights of Alexandria are compared with those of Rome. Thus the narrative, in building up the argument for the rights of Alexandria, both established the authentic text of the 6th canon of Nicaea and excluded the possibility that the Nicene fathers could have contemplated any such operation of the Roman see as Zozimus proposed in Africa. When that was established, the African, i.e. the 'Caecilian,' text of the Nicene canons was vindicated. At least, it was substantially vindicated. For, comparison with the Greek original indicated details in which it might be somewhat more closely accommodated thereto. And so Turner, in his Guardian article, went on to observe that the Nicene canons in our codex bore just that character when compared with the primary representatives of the 'Caecilian' text, that they appeared to be a revision of that text with the help of the Greek. The version of Atticus, he remarks, has the character of a new version carried out with knowledge of the 'Caecilian' version.

During his last visit to Verona, in 1922, in a fresh examination of our codex, Turner detected the nature of the palimpsest leaves, and estimated the extent of the Sardican signatures destroyed. The record of this important discovery is effectively buried by being consigned to a footnote in an article on codex LI (49) in J. T. S., xxiv, 74.

Turner's next essay towards a solution of the problem of our codex is to be found in his article of January, 1929, on the Acta conciliorum oecumenicorum of Eduard Schwartz (J. T. S., xxx, 113-120), where he left to Schwartz the study of our codex as a source-book for the history of the fourth century and declared his own interest to be in the literary and historical problem of the collection itself. Here he announced his conviction that the colophon with the name of Theodosius was not original but copied. Yet, in the next sentence, he assumed that the colophon referred to the contents of T*, and that it proved that Theodosius the deacon was their compiler. He then went on to propound the view that this compilation took place in Africa during the sixth century. This is on the strength of the singular abbreviations in our codex, of which he instances CHRO for *Christo* and AM for *autem*, and declares 'I am confident that they are African, and therefore at least earlier than the Mohammedan invasion. I have at the back of my mind a distinct impression that I once came across mention of a Theodosius archdeacon of Carthage in the sixth century, but I cannot place the reference. If my impression is correct, that Theodosius might well be the original author of the Verona collection.' Alas for the unplaced reference! Dom H. Leclercq wrote, in 1908 (French edition of Hefele, Conciliengeschichte, tom. II, Pt. 2, Appendix ix, p. 1367, note 1), of the deacon Theodosius, 'On a proposé recemment de l'identifier avec Theodose, archidiacre de Carthage vers 530, auteur d'un livre sur les Lieux Saints.' It was this suggestion, evidently, that embedded itself in Turner's mind. But it is not as promising as he thought. The De situ terrae sanctae of Theodosius, well-edited by J. Gildemeister, Bonn, 1882, gives reason to conjecture that the author was an African;

though even this is regarded as dubious by Archbishop Bernard, in his translation of the work for the Palestine Pilgrims' Text Society. One MS calls Theodosius archdeacon and another deacon. But there is nothing about the De situ that favors the idea that the author is one person with the 'compiler' of our collection. If the present study has not gone wholly astray, there was no such person. And the least likely place for the prosecution of such a task would have been Vandal-ridden Africa. In fact, Turner himself has pointed to a possible indication that the Isidorian canons were added to the fourth century matter in an Italian setting. It is to be found in the Θ text of the 4th canon of Constantinople, which offers *regiae* for *regi et* in the sentence *Ecclesias autem Dei quae sunt in barbaricis gentibus constitutae regi et administrari oportet secundum consuetudinem.* That should mean that outside the empire there should be national churches, which should accommodate themselves to national common law as the church within the empire accommodated itself to Roman law. *Regi* translates *οἰκονομεῖσθαι.* If the Θ reading represents the interpretation of the canon by a scribe, it means that he thought the national churches were established by the kings, and so Turner comments '*reges scilicet . . . Visigothorum vel Langobardorum*' (E. O. M. J. A., II, 432). This would seem surer if it were not so much in the manner of the scribe of Θ to turn *constitutae regi et* into *constitutae regiae.* But if it is an interpretation, it is one that fits very ill with the theory of compilation in Africa.

The contribution to the knowledge of our codex in which Turner stands out before all others is in his editing of the greater part of its text in the two volumes of his Ecclesiae Occidentalis Monumenta Juris Antiquissima. Besides the actual pages of Θ text, including part of the text of A (I, 596–620), which can be found from the table of contents in Section II above, there are, on the following pages, notes which bear on our codex: I, pp. 33, 37, 101, 152, 302, 443, 489, 532–534, 593, 625–626 (an index of the contents of T*) and, following p. 440e, pp. xii, xiv–xvi of the introduction to Fasc. II, Pt. 3. Also II, pp. 48, 145, 321–323, 393, 432. It had been Turner's intention to include an edition of the Definitio dogmatum in the projected third volume of his great work, and this would, no doubt, have shown fully the Θ readings. It is to be hoped that this work may be completed by other hands.

Additional Note F. Schwartz

Eduard Schwartz, while he held his chair at Göttingen, delivered a series of nine papers before the Gesellschaft der Wissenschaften there, under the title 'Zur Geschichte des Athanasius.' The beginning of this series marks the change of his dominant interest from Classical to Christian history, and the first four papers appear in the Nachrichten for 1904. This series, concluded in 1911, is remarkable for its acute reëxamination of the documentary sources and their relation one with another, with a view particularly to chronology and politics. The resultant picture of St. Athanasius is much more that of an ecclesiastical politician of amazing energy and determination than of a theologian and saint. Schwartz is, no doubt, too cynical. Partial as they may be, the politics of the Alexandrine patriarch are informed by unmistakable religious sincerity and devotion. But there is no gainsaying the accuracy of his delineation as far as it goes. It has subsequently been remarkably vindicated by the papyrus letters published by Dr. H. Idris Bell

in his Jews and Christians in Egypt, 1924. It has been vindicated in another way in that such a work as the S. Athanase of Gustave Bardy has frankly to make terms with the Göttingen papers.

The series, substantially completed in the first two years, was resumed and ended by successful battles with von Harnack over the Syriac Acta of the synod of Antioch of February, 325, and with Loofs over the date of Sardica. It is to be found in the Göttingen Nachrichten, phil.-hist. Klasse, 1904, pp. 333–356, 357–391, 391–401, 518–547. 1905, pp. 164–187, 257–299. 1908, pp. 305–374. 1911, pp. 367–426, 469–522.

In these debated questions alone, Schwartz made a very great contribution to accurate and intelligent history. His determination of the 342 date for Sardica, which helps so much of the history of the middle fourth century to fall into intelligible sequence, was first reached in the second of the Göttingen papers, by combination of our item X with the Index to the Festal letters of St. Athanasius (l.c., p. 378).

At this time Schwartz had only such knowledge of our codex as can be gleaned from the pages of the Ballerini, Reifferscheid and Maassen. He knew the work of Batiffol on item XXII. But Turner's Guardian article, through its place of publication, remained unknown to the learned on the Continent for long after this time. In spite, however, of having no closer contact with the MS, Schwartz' insight shows itself in his recognition that Theodosius was only *Schreiber und Corrector.* '*Der Redactor ist er nicht*' (Nachrichten, 1904, p. 357, note 3); and again by his guess that item XIV contained an actual Paschal table. He was at the time working upon his Christliche und jüdische Ostertafeln, which appeared as No. 6 of the Göttingen Abhandlungen of the next year (N. F., viii). Acting upon his guess with regard to item XIV, he had meanwhile enlisted the help of the Prussian Historical Institute and the kind offices of Spagnolo. The result was an edition of XIV with a most admirable discussion of the historical questions involved, as c. vii of his Abhandlung (pp. 121–125), with fine color-facsimiles of the recto and verso of f. 80 of our codex. By this work, the history of Sardica was very largely transformed.

It was not till after the war that Schwartz returned to this field of studies. His article in Z. N. T. W., xxv, 38–88, entitled 'Das Nicaenum und das Constantinopolitanum auf der Synode von Chalkedon' makes reference, on pp. 67 and 68, to item XXIII. His observations on pp. 42, 43 point the way to the solution that has been given above to the problem of XXIII. The theme was renewed and amplified in Z. N. T. W., xxxiv, 198–200. It was also in 1926 that Professor H. Lietzmann sent photographs of our item III to Schwartz, who had made a penetrating study of this document in the second Göttingen paper, using the text as given by the Collectio Romana Bipartita of Holstenius, printed from — as far as is known — a very careless transcript from our MS. He had come to the conclusion that, as the pieces in the item were not retranslations from the Greek, the document must be of Western origin; a decision which obstructed progress for some time, and helps to explain the fact that ten years passed before the final solution of the problem appeared.

In the meanwhile, the literary friendship of Schwartz and Turner had begun, which enabled Schwartz to guide the posthumous completion of the first volume of E. O. M. J. A. They were in close relation over the edition of the Sardican canons, for which the work was practically complete when

Turner died, October, 1930. And in the following year Schwartz contributed to Z. N. T. W., xxx, 1–35 an appreciative article entitled 'Der griechische Text der Kanones von Serdika.' In this, besides his solution of the problems raised by the Θ version of the canons, Schwartz gave, on pp. 12–17, a set of revisions of the existing Greek text in the light of Θ and the Syriac version, which constitutes a supplement to the notes in E. O. M. J. A.

In 1935 appeared, in Z. N. T. W., xxxiv, 129–213, Schwartz' magistral review of the progress of our knowledge of the history of the church in the fourth century, 'Zur Kirchengeschichte des vierten Jahrhunderts.' Documents in T are there particularly treated on pp. 146–149 and 180–182. But the whole study sets our codex, as a source-book, in relation with the field of information. A year later, in the same journal, appeared the article 'Über die Sammlung des cod. Veronensis LX' (xxxv, 1–23). In this, the first 17 pages played the part of *Retractationes* with regard to the second Göttingen paper, while the remainder gave an edition of item III based on the photographs and preceded by the author's brilliant illumination of this most puzzling document.

In 1936 also, in the Zeitschrift der Savigny-Stiftung (56. kanonistische Abteilung, xxv, 1–114), appeared the article entitled 'Die Kanonensammlungen der alten Reichskirche.' This, once more, was the review, by a master, of a vast field of studies, to which subsequent workers in this field will, no doubt, continually return. It treats directly of T in the portion covering pp. 74–96, but indirectly illuminates our subject everywhere, by showing how the problem of the Nicene authority of Sardica, in its reference to the rights of the Roman see, continued to exercise the minds of the canonists up to and during the sixth century.

Thanks to the ground covered by Turner, the *magnum opus* of Schwartz, his Acta Conciliorum Oecumenicorum, touches our codex only in its edition of item VIII (II, ii, 2, 197–201). With that, the work which he had for long advocated, an edition of the whole contents of our codex, nears completion. It will not be fully attained, however, until the whole text is accessible in one volume, of the type, it may be, of the volumes in the Berlin corpus.

Additional Note G. The 'Isidorian Versions'

The subject of the 'Isidorian version' of the Greek councils is best studied in Maassen, op. cit., pp. 12–25, 71–87 with the help of Turner's edition of the texts. The phrase 'Isidorian version' is consecrated by use, but rests upon a misapprehension. Shortly after the 4th Council of Toledo, in 633 A.D., and perhaps as in some way an outcome of that council, there came into being a collection of Church councils which, under the name of the Hispana, quickly became an accepted authority for canon law in Spain. The president of this Toledan council was Isidore of Seville, who died in 636. It is rather his standing in the eyes of the Spanish church than any evidence of his authorship, that coupled his name with elements in the Hispana. It was the Greek councils in the Hispana that came to be reputed 'Isidorian,' namely Nicaea, Ancyra, Neocaesarea, Gangra, Antioch, Laodicea, Constantinople, and, more doubtfully, Chalcedon. And as the phrase came to be used, the use depended upon the assumption that Isidore was the translator of these eight councils from Greek into Latin. This is quite certainly not the case. Not only was not any of these eight councils translated by him, but the times and

circumstances of their translation differed. The arguments leading to this conclusion may be read in Maassen, and it will be sufficient here to trace the history leading to the appearance of these eight Latin versions in the Hispana.

Shortly after the synod of Sardica, 342 A.D., someone standing in effective proximity to, if not in official position in, the chancelry of the Roman see, united the canons of Sardica, original in Latin, to a Latin version of the canons of Nicaea. This combination embodied the idea, readily accepted in the West, that Western Sardica was the vindication, and in a sense the completion, of Nicaea. Whether this translation of the Nicene canons was made for the purpose of combination with those of Sardica, or was already an accepted version at Rome, cannot be told. Almost certainly, other Latin versions of the Nicene canons were already current in the West. But this version came to be used, also, in separation from the Sardican canons, as a preferred version of Nicaea. As combined with Sardica it underwent a recognizable recension, and the resultant form for Nicaea gave rise to a Gallic variation of the 'Isidorian' version. And as a separate version of Nicaea, grouped with other Greek councils, it underwent a different recension. The original form of the version clings very close to the literal sense of the Greek. The recensions stray from this, though now and then they achieve a better free rendering of the sense of the Greek than the old form. The recension process must therefore have begun early, when Latin clerks familiar with Greek were plentiful. The recension not found with the Sardican canons following is that which appears in the Hispana, which indeed contains the Sardican canons, but inserted between those of Gangra and Antioch. This Hispana recension of the Nicene canons is what is known as the Isidorian Vulgate for Nicaea. But an original of which it is a recension goes back, as we have seen, far beyond the times of Isidore (as is the case, even, with the actual recension which the Hispana embodies).

In times that were certainly pre-Chalcedonian there came to be known in the West a collection of four Greek councils, Nicaea followed by Ancyra, Neocaesarea and Gangra, the whole four being marked as a unity by connecting prefaces which explain, for Ancyra and Neocaesarea, that they are older than Nicaea but come after it because of its preëminent dignity, and of Gangra that it is later. Maassen suggests that this collection of four councils, all in the church province of Pontus, was the work of a Pontic churchman, and points to reason for believing that the canons of Ancyra and Neocaesarea together had formed a unity long before their incorporation in the Pontic four-council collection. The fact that Gangra fulminates against the disciples of Eustathius who became Bishop of Sebaste, for the same offence for which Eustathius was expelled from the presbyterate of Antioch in the days of Eulalius, suggests for Gangra a date at which the baneful influence of Eustathius in Pontus was making itself felt; i.e. not before 340 A.D. The formation of the Pontic collection would fit well with the times of St. Basil the Great. When this collection reached the West, there were various versions of the Nicene canons in use. It is likely that the version of Ancyra, Neocaesarea and Gangra which we now know as 'Isidorian' was made from the Pontic collection, to be used with an existing version of Nicaea. In our codex the three councils are thus associated with the version of Caecilian, and elsewhere with other versions than 'Isidorian' Nicaea. Yet they are most often found with 'Isi-

dorian' Nicaea, and so it is likely that they were made within the neighborhood of Rome. The history that can be inferred from their distribution points clearly to Italy as the place of origin. Moreover, they appear in two distinct recensions, an *antiqua* and a Vulgate. This latter recension is similar in character with that already noted in the case of 'Isidorian' Nicaea. And the Isidorian Vulgate Nicaea is cited by the synod of Riez of 439 A.D. It is thus probable that the recension of the four councils which appears in the Hispana, and is in that sense 'Isidorian,' had its origin early in the fifth century in Italy. And this recension is what is meant by the phrase Isidorian Vulgate.

The Greek canons of Antioch were invoked by the foes of Chrysostom, and were explicitly recognized by Chalcedon. On the other hand, the legate Lucentius declared at Chalcedon that the canons of Constantinople, recognized by Chalcedon, were unknown to the West. A survey of the canon-collections shows that the trio Antioch, Laodicea, Constantinople occur together, just like the trio Ancyra, Neocaesarea, Gangra. It is probable, therefore, that after Chalcedon the Greek of these three councils reached the West, and the Latin version was made (again probably in Italy) which appears in the Hispana and is called Isidorian. As to the date when it was made, we have the following indications: (1) Isidorian Laodicea is in Codex Veronensis LIX(57) and Isidorian Constantinople in Parisinus Lat. 12097 (formerly Corbie), both MSS of the later sixth century. (2) Constantinople is treated as on the same level as the other two, and not as ecumenical, which bespeaks a time before the death of Hormisdas, 523 A.D. (3) The second Isidorian trio appears to have been in circulation some little way ahead of the Dionysian version. The late fifth century seems therefore the most likely time for the rise of the Isidorian version of these three councils. Isidorian Chalcedon is only such by being in the Hispana. It has no other historical connection with the seven.

Additional Note H. The Apostolic Canons

Reifferscheid, in the Sitzungsberichte of the Vienna Academy for 1865, p. 38, indicates that halfway down the verso of f. 71 in our codex the capitulary of the Apostolic canons begins, and that the first eight *capitula* complete the page. In the same proceedings for the following year, p. 327, he describes the MS A. III. 24 of the Casanatense library belonging to the Dominican church of Santa Maria sopra Minerva at Rome as consisting of 7 leaves and bearing the Apostolic canons with *capitula* from viiii on. A footnote says that the MS was presented to the Casanatense in 1728 by Pope Benedict XIII, and that it came 'from the library' of Francesco Trevisani, Bishop of Verona; also that it is accompanied by a transcript bearing the name of Bartolomeo Campagnola and dated 1728. Turner, noticing the exactly complementary amounts of text in the two places, and the indication of a Veronese origin for the Roman MS, went to examine the latter. He found that the primary and secondary scripts tallied, as did the quaternion-marking. There is, in short, no possible doubt that the Casanatense leaves belong to our codex. The question is, Why, when, and by whom were they removed?

Bishop Trevisani was an aristocratic Venetian who held the see of Verona from 1725 to 1732. Campagnola was Canon and Chancellor. 1728 was the

year of the great quarrel between Maffei and the Chapter. On 4 November, a letter, bearing the names of a number of Venetian booksellers and criticizing the Verona Chapter, was delivered to every Canon. The Provost, Muselli, was given his copy by a soldier who said he had it from a stonebreaker. But the whole thing was only too patently in the interest of Maffei, who had obtained from Canon Nigrelli, in the preceding September, an affidavit of the fact of his part in the rediscovery of the MSS. The name of Maffei carried great weight with the learned world, and the Canons must have entertained some fear that the Vatican might not be wholly on their side. But on 28 November the Chapter met under the presidency of Campagnola and passed a vote of confidence in Muselli in his championship of the unqualified rights of the Chapter over the books in its library. This bold front towards the foe on the part of the Chapter suggests that they were assured of Roman support. It looks, therefore, as if Muselli had secured two points by one action. He had given these leaves from our codex by the hand of the Bishop to the Pope himself, and so made the Holy Father partner with the Chapter in demonstrating the right of the Canons to do what they liked with their own. The acceptance of the leaves by the Pope is enough to explain the Chapter-meeting of 28 November.

We have next to ask, Were these leaves loose, and separate from the codex, when Muselli got Campagnola to prepare them to go to Rome? Unfortunately the answer is in the negative. In 1742 Maffei had printed at Trento a handsome folio of two volumes in one. The first is a reprint of his Istoria Teologica. The second, with a fresh numeration of pages, is entitled Opusculi ecclesiastici. In this, pp. 56–61 reprint Maffei's letter of 1721 to Benedetto Bacchini (already printed, under the title 'Manuscritti Capitolari,' in Osservazioni letterarie), followed, pp. 62–100, by Bibliotheca Veronensis Manuscripta, now published for the first and only time. It describes the treasures of the library by subjects; codices Biblici, conciliorum, anecdotorum, varii, liturgici, and then the Acta vetera ex tabulario Capitulari. Of this, pp. 75–77 is consecrated to a description of our codex. Towards the close, Maffei mentions the Apostolic canons, and says 'Post indicem incipiunt Regulae ecclesiasticae sanctorum apostolorum prolatae per Clementem ecclesiae Romanae Pontificem num. L.' A glance at Turner, E. O. M. J. A., I, 8 will show that this is the heading to the actual text of the canons, well into the Casanatense leaves of Θ. It is therefore certain that when Maffei was compiling his description, the Casanatense leaves were part of the codex, and that he still did not know, in 1742, that they had been removed. We can be sure that he would not have been silent, had he known. It follows that Muselli had the leaves deliberately plucked from the codex. He broke two quaternions to get them.

Once he had conceived the plan of giving away something from the MS treasures of the Chapter to the Pope, it is not so difficult to see the sense of this particular piece of vandalism. Bishop Ratherius of Verona had set great store on the Apostolic canons, and had sought to found a programme of ecclesiastical reform upon them. This created the idea, in Verona, that they had something very special in their ancient text of these canons. Moreover, the scribe of T* had here done something that is very unusual, with him. After finishing the Apostolic canons at the top of a verso page, instead of

following straight on with the next item, he left the whole page blank, and started the Antiochene canons at the head of a new page. Here, therefore, was a single document which could be removed without the sacrifice of anything else, if only eight *capitula* were left behind. But the reason for the choice only emphasizes the deliberateness of the crime!

The scribe of Θ concluded the 50th canon at the top of a page, of which the rest remained blank until t filled it with a note on the *ratio* of Lenten liturgical observance, which he attributes to the Venerable Bede. On 7 February, 1843, Maestro Giacinto de Ferrari, O. P., then librarian of the Casanatense, read a paper upon this *frammento inedito sotto il nome del venerabile Beda* before the Pontificia Accademia Romana di Archaeologia. The text is not extant, but the gist of the paper may be gathered from the report of Dissertazioni published in 1855 (pp. xxii–xxiii). De Ferrari assigns this entry by t to a place among the pseudonymous literature on the ecclesiastical calendar which, in the Middle Ages, sheltered under the name of Bede. It is no part of the text of pseudo-Bede De officiis, but would appear to be from a less-known work of the same type. It is perhaps idle to conjecture the reason of the original blank page. But the work of Turner and Spagnolo on codex Verona LI(49) shows the currency in North Italy of a longer version of the Apostolic canons, of Arian tendency. Turner has shown in J. T. S., xv, 57, xvi, 524, xxiv, 73 that the heretical nature of this longer version did not go undetected. It may therefore be tentatively suggested that our scribe had thoughts of adding a note about 'the collection of 85 canons' to his copy of the Dionysian 50, and that reason was found later for not proceeding with this idea.

But perhaps the most interesting thing in this story of item XI is the way in which the ecclesiastic mind was troubled by the implied claim of Maffei that the learned public had rights with regard to literary treasures. Arcipréte Muselli appears to have felt that the liberties of Holy Church were in peril unless this was firmly negated.

Additional Note I. ff. 98v and 99r

The largest block of secondary script in our codex is that which extends from f. 94v to f. 99r. Of this the greater part is a copy in the hand of t of the Dionysian version of the canons of Sardica. It has the *capitula* as headings to the individual canons, and some singularities of reading which have not been published. Owing to his small cursive script, t has arranged his matter in two columns to the page. The end of the Dionysian copy extends somewhat over halfway down the left hand side of f. 98v. The right hand side of this page and the left hand side of the next t filled with *miscellanea* which are the subject of this note, while the right hand side of f. 99r remains empty. We may first, however, consider t's motives and procedure. To men of his outlook and training, empty parchment space was ever something to be used to the full; first for corrections, notes, and amplifications, with regard to the primary text, then for matter more distantly relevant, and finally for the purpose of recording matter, totally unconnected with the contents of the codex, which seemed to be worth preserving. Consequently, t was exercised over the great amount of unused space on ff. 94v, 95, 96, and what is now 99r. These pages, when he came to them, contained only two thin columns of writing. It was, in fact, the only surviving copy of the full list of the signa-

tories at Western Sardica, and formed the conclusion to our item XVII. One of the merits of the scribe of Θ is the patience with which he transcribed, and this long list of names, like the paschal table in XIV, was a title to the gratitude of posterity. But to t it was just a useless string of names strung out over much good parchment. He calculated that if he got rid of this writing by removing the surface of the skin, he would gain almost enough room to copy, in his small script, the Dionysian version of Sardica, with which to supplement the unknown version in the original hand. To make up what was lacking, a single leaf would not be quite enough. So he inserted a double leaf of new parchment, forming the present ff. 97, 98. There were now nearly two pages too much, and one side of f. 99r remains empty to this day, to dismiss, as Turner remarks (J. T. S., xxiv, 75), the hope of recovering any of the destroyed text whatever. In the right hand column of f. 98v, t wrote what appears to be a very brief letter of Leo the Great. It is headed *Leonis p̃p Alexandro ep̃.*, and lays down the rule that none should be permitted to preach in the church, however learned or ascetic they might be, unless already in the priesthood. Alexander of Antioch is, no doubt, the person intended by the author of the heading. He was dead before Leo became pope. And the document, although it looks quite convincing as a short epistle, is in fact just the sixth and last section of Leo's letter to Maximus of Antioch (Ep. cxix, P. L., 54. 1045–1046). The heading is therefore the blunder of a fairly knowledgeable person, and probably of t himself. Perhaps he was impressed by the didactic tone of the Roman bishop towards his brother of Antioch, and thought this a good text illustrative of the worldwide authority of the papacy to set beside the canons of Sardica.

The left hand side of the recto of f. 99 was employed by t purely for scrapbook purposes. He wrote there three assorted pieces of hexameter verse. The first is an acrostic of 22 lines, the initial letters forming the address FRATRI BENEDICTO SALUTEM RC. The last two letters may be the initials of the author, who is expressing his gratitude to his preceptor, Brother Benedict. The text was printed, with discussion, in 1878, from a transcript by Canon Giuliari, by Professor Ernst Dümmler, in Neues Archiv d. Gesellschaft f. ältere deutsche Geschichtskunde (Hannover) iv, 152–158. On p. 398 of the same volume Dümmler printed also the second set of verses. A fresh transcript, with a full discussion by Professor C. Cipolla, is to be found in Rendiconti della R. Accademia dei Lincei, 5. v, 1896, 357–399, 523–525. The poem consists of six lines and is of considerable historical interest, incidentally tending to confirm belief that t was a Veronese. It runs:

Constitit hec miris olim constructa figuris
Aula, sed ungrorum est convulsa a cardine flamma
Per bis sena fuit, ternos ast insuper annos,
Lustra, sic assidue vasta deventa ruina
Instaurat sumptu proprio quam presul ubertus
Dedicat et pulchro decernens omnia cultu.

Cipolla points to the year 933 and the beginning of the second incursion of the Hungars into North Italy as the reference of the second line. At this time Verona was invested but not captured by the barbarians, who, however, burnt down the chapel of Saints Nazarus and Celsus outside the walls. Canon

Giuliari's preface to his edition of the Sermons of St. Zeno of Verona (1883), p. clvi, recounts this piece of local history. The *aula* described at the beginning of the second line is the destroyed chapel. *Presul ubertus* is Hubert or Othbert, bishop of Verona, 992–1008. And the last four lines celebrate the fact that Othbert in 996, of his own munificence, restored the ruined chapel. Evidently there were those alive who remembered the former state of the building, which was adorned with marvellous frescoes or mosaics, probably of the patron saints. The poem was evidently inscribed somewhere on the walls of the restored chapel, whence, very likely, t took it direct. If the reading *deventa* is right, it must exemplify the Italian use of *devenuto* as 'on the way.'

There is a third set of verses, also of six lines. It is on a scriptural theme and seems to contain nothing of special interest. The first line is:

Dixerat haec sacra vice mente propheta Johannis,

and the sole distinction of the poem seems to be that it is the only thing in our codex which has not yet been the subject of study. Cipolla notes that all three sets of verses are marked by a considerable effort to copy classical models, and this may have constituted their claim, in the eyes of t, to be recorded in this space.

Additional Note J. The Class-mark LX(58)

The class-marking of the manuscripts in the Verona Chapter library is characterized by the combination of Roman and Arabic numerals. A system of classification by Arabic numerals was introduced before the codices were lost, and very probably by Canon Agostino Rezzano, librarian, who compiled a catalogue of the MSS in 1625 and died in the plague of 1630. These class-marks were written on the top right hand corner of the first page, and were in two series, one in red and one in black. Maffei, to whom the later class-marking was unknown, cites some of these old class-marks in Opusculi ecclesiastici. There are the remains of a red numeral on the front page of our codex, but it is illegible because the corner of the leaf has subsequently been torn away.

The Ballerini, in their edition of the works of Leo, which appeared in 1755–56, cite several Verona codices by simple Arabic numerals, without distinction of color. Our codex is cited as 55, the present XXII(20) as 46, LVII(55) as 56, LVIII(56) as 57, LIX(57) as 58, LXI(59) as 59 and LXII(60) as 60. It is clear, therefore, that after Maffei discontinued his work for a catalogue, begun in 1714, someone else must have taken the work in hand and produced a numbered catalogue. This person was in all probability Canon Giuseppe Bianchini, of whose work on the manuscripts there is plentiful evidence between Maffei and the middle of the century. In 1758, Canon Gian Giacopo Dionisi, then librarian, supplemented the earlier catalogue with a Paralipomena manuscriptorum codicum Capituli Veronensis. A letter of B. G. Niebuhr, written from Verona in 1816 to announce to Savigny his discovery of the palimpsest of the Gaian Institutes, praises Dionisi's work and speaks of further MS rediscoveries for which Dionisi was responsible These MSS are in the series of double-number class-marks, but still have the addition app, as in I(1) app., presupposing the incorporation of the new acquisition with

the MSS already catalogued. It is unlikely, therefore, that the rearrangement of the order of the codices, testified by comparison of the present numbers with those cited by the Ballerini, has taken place since Dionisi's Paralipomena were added. So, if it be assumed that LX(58) means LX *olim* 58, it seems probable that a rearrangement of the class-numbers, by which our codex became 58 instead of 55, is the work of Dionisi, connected with the addition of his Paralipomena. At a later stage, it was evidently desired to bring a few more codices into the series. A third change in the numeration bade fair to increase confusion. And it is plainly to avoid this that the new numeration was put into Roman figures and coupled with the old. So we find VIII(7^2) and IX(7^3) coming in between VII(7) and X(8). The extra codices number 3 when we get to LXVII(64), 5 by LXXXII(77), 7 before CVI(99) and 13 before CLXIII(150). If this change was subsequent to Dionisi, it was apparently before Antonio Masotti (Archivio Veneto, XIX. 87), whom the Chapter appointed Custode, on the strength of a legacy from Bishop Morosini. As has been said, he completed in 1788 two manuscript volumes of descriptive catalogue intended to bring into one order the work of predecessors in the library. The present vellum cover, with the double class-mark in ink upon the back, and the general appearance of the binding, correspond very well with the supposition that it dates from the late eighteenth century.

NOTE

THE GRIEF OF PERSEPHONE

Some time ago I sought to give an account of a famous fragment of Pindar [1] which till then had lacked any commentary that satisfied me. My results have been criticized in the most friendly and courteous manner by Professor Ivan Linforth [2] in the course of a work which no one interested in Orphic literature can afford to neglect. It seems worth while to ask how much of my conclusion is still valid if it be taken for granted that his results will in their turn stand the careful examination deserved by all good research into complicated problems.

The text of the fragment, which has no important variants in the MS. tradition, runs as follows:

οἷσι δὲ Φερσεφόνα ποινὰν παλαιοῦ πένθεος
δέξεται, ἐς τὸν ὕπερθεν ἄλιον κείνων ἐνάτῳ ἔτεϊ
ἀνδιδοῖ ψυχὰς πάλιν, ἐκ τᾶν βασιλῆες ἀγαυοὶ
καὶ σθένει κραιπνοὶ σοφίᾳ τε μέγιστοι
ἄνδρες αὔξοντ'· ἐς δὲ τὸν λοιπὸν χρόνον ἥροες ἁγνοὶ πρὸς ἀνθρώπων
καλεῦνται.

Which, translated into English, signifies:

"But those at whose hands Persephone accepts atonement for (her) ancient grief, their souls in the ninth year she sends up again to the sun of this world; wherefrom spring proud kings, men of strength and speed and those chief in wisdom, and for all time to come they are called of men holy heroes."

My contention, in the article referred to, was that the last three words of the first line can signify nothing but atonement (literally weregelt) for a grief, probably a grief involving the death of someone akin to her, which Persephone had suffered. No such grief, however, is known to have befallen her in any matter which concerned men, directly or otherwise, save in the story preserved in late literature of the kind generally called Orphic, that her son Zagreus was murdered by Titans,

[1] The Ancient Grief, in Greek Poetry and Life (Oxford, Clar. Press, 1936), p. 79 sqq. The fragment is preserved in Plato, Meno 81 B, Stobaios, tit. 43, 112 of the Florilegium, merely excerpting Plato and not quoting Pindar independently.

[2] The Arts of Orpheus (Berkeley and Los Angeles, Univ. of Cal. Press, 1941), p. 345 sqq.

who were destroyed by Zeus, the child's father, for their wickedness. Men, having sprung from the ashes of these Titans, would thus have a kind of original sin in them, pardon for which might be obtained from Persephone by means not stated in the fragment. It would seem therefore to follow that the late attestation of the myth of Zagreus (whose name at least was known in Greece as early as the days of Aeschylus) is a mere accident. Incidentally, Pindar's poem, probably a dirge, contained Orphic doctrine.

Now if I understand Professor Linforth's main theory aright, no such thing as Orphic doctrine or an Orphic religion can be properly said to have existed, but only opinions put forward from time to time by persons who, following a convention which certainly existed, whatever the reason may have been, wrote under the name of Orpheus.[3] This I do not wish to discuss now. It is enough for my purpose if someone, whether or not he pretended to be Orpheus, or Musaios, or any other such mythical figure, put forth, early enough for Pindar to have read him, substantially the tale which a few surviving late authors tell. But this much my theory must postulate. For if there was no story in which a son (or other person closely enough related to Persephone for her to wish to receive satisfaction for his death or injury) was murdered or otherwise mishandled by men or some beings connected with men, I can see no meaning at all in the crucial words of the fragment. An alternative conceivable in itself would be a legend of personal harm done to the goddess, comparable for instance to the wounding of Ares and Aphrodite by Diomedes in Homer. But of any such injury done her by human beings or anyone in any way connected with them there is no faintest trace in any story which has come down to us, and it is bad method to assume that such a tale once existed when the passage can be explained by postulating that a myth preserved for us only by late authors nevertheless did already exist in early times. For it is my impression that but few ancient traditions are wholly lost to us, though by common consent of all competent mythologists the forms in which some of them have come down are neither original nor early. I therefore continue to suppose, not of course precisely and in all detail the legend of Zagreus as it is told in our surviving authors, but one like it in its main outline, and in which, more probably than not, Zagreus was the name of the murdered son of the goddess. Further, I suppose that the savage tale had been given a theological application, in other words that a sort of doctrine of original sin, inherited from wicked and murderous ances-

[3] Linforth, op. cit., especially p. 291 sqq.

tors (whether Titanic or not) had been deduced from it; or possibly that it had always been, from its first invention, an imaginative embodiment of such a doctrine, since it was a commonplace of Greek thought [4] that guilt might be inherited.

Let us see, then, if Professor Linforth's criticisms of detail invalidate or make unlikely any of the above positions. His first objection to my interpretation (p. 349) is that, if I am right, Pindar alludes, as to a story very well known, to a myth otherwise unattested for anywhere near his date. But is this so? He may have been writing for a select audience, call them Orphic or what you will, who did know the myth, possibly had told it to him. In O. 2, 70, he is writing what it seems allowable to call a Pythagorean poem for one clearly possessed of knowledge of such doctrines, and there he refers, as if everyone had heard of it, to something quite as obscure as the tale of Zagreus, namely the Tower of Kronos, concerning which the well-informed scholiast has nothing better to suggest than that it is Pindar's name for the Islands of the Blessed, which it most certainly is not. No one has yet thrown very bright light on the last part of the Second Pythian, concerning which no two commentators seem to agree. In the former of these odes, indeed, the poet himself says that for the generality his words need interpreters.[5] If therefore the general outlines of the myth of Zagreus, — murder of a son (or any close kinsman) of Persephone and responsibility for the crime somehow shared by man, — existed at all in his day, Pindar would not scruple to allude to it. The indication that something like this did exist is simply the text of Pindar's fragment; I would go so far as to say that this would compel us to postulate some legend of the kind if we had never heard of Zagreus and the Titans. It is very true that, as Professor Linforth implies (p. 348), a modern mythologist is tempted to assume knowledge in an ancient author of stories which he himself chances to know, perhaps from a source much later; but I have tried, and I think not without some success, to avoid this paralogism.

His next objection I can hardly think is meant seriously. It is (p. 349) that in what he rightly calls a "stiff, hieratic myth" Persephone would not be so far humanized as to feel grief, her only function being to produce the divine child. It is indeed unlikely that her feel-

[4] For example, to take one passage of many, Solon, fgt. 1 (Diehl), 29 sqq.; some sinners are punished in their lifetime, sooner or later, but others escape personally, at least in this world, and the penalty is visited on their descendants, in the first generation or further on. That such a doctrine was popular among the Hebrews till the Exile is clear from, e.g., Ezek., 18, 2 sqq.

[5] O. 2, 85.

ings would be expressed by the unknown "Orphic" author with the truth to life of a Euripides or the ingenuity of an Ovid, but I can hardly suppose a story in which she was not represented as feeling any distress at all.

Professor Linforth, after uttering his criticisms, as in honesty he must do before accepting a new interpretation of a doubtful passage, is so good as to allow my view "a high degree of probability" (p. 350). Here we may, perhaps, be content to stand on common ground, differing if necessary on the question of how high the degree is. I have indicated what I think are the maximum modifications which his work seems to me to call for, and end by expressing my warm appreciation of the value of his researches.

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